SEARCH REQUEST FO	DRM - Scient	tific and Techn	ical Informa	tion Center	- EIC2800	1465
3ev. 3/15/2004 This is an experimental Date 1-3-05 Serial	nental format Ple	ase give suggestions	or comments to Jerr	Hurrison, JEr-4	B68, 272-2511.	
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What relevant art have you Information Disclosure Stat		Please attach	pertinent citat	ions or		
Secondary Refs F Teaching Refs What is the topic, such as the desired focus of this search? registry numbers, definitions topic. Please attach a copy of the search and the search are search as the search are search?	e <u>novelty</u> , mo Please incl	erature  otivation, utility lude the concep strategies, and a	Other, or other spects, synonyms, anything else	keywords,	acronyms,	
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# STIC Search Report

# STIC Database Tracking Number: 141631

TO: Lissi Marquis Location: JEF- 8D61

**Art Unit: 2800** 

Wednesday, January 05, 2005

Case Serial Number: 09/514633

From: Darcy Bates Location: EIC 2800

JEF-4B68

Phone: 571-272-2540

darcy.bates@uspto.gov

# Search Notes

Re: 09/514,633 US 5,514,907 & US RE 36,916

Attached are search results.

Litigation was found. Docket information and citations are attached.

If more searching or explanation is needed, please let me know.

Thanks,
Darcy Bates



## Harri≩on, Jeff

From:

Marquis, Lissi

Sent:

Tuesday, January 04, 2005 7:57 AM

To:

Harrison, Jeff

Subject:

RE: litigation search for patent no. 5514907

## Wednesday is fine.

### thanks.

----Original Message-----

From:

Harrison, Jeff

Sent:

Tuesday, January 04, 2005 7:52 AM

To:

Marquis, Lissi

Cc:

STIC-EIC2800; Harrison, Jeff

Subject:

RE: litigation search for patent no. 5514907

STIC-EIC2800 has received your search request. Most likely, you will receive results on Wednesday. If you need results today, Tuesday, let me know.

Thanks, Jeff

Jeff Harrison Team Leader, STIC-EIC2800 JEF-4B68, 571-272-2511

----Original Message-----

From:

Marquis, Lissi

Sent:

Monday, January 03, 2005 2:11 PM

To:

STIC-EIC2800

Subject: litigation search for patent no. 5514907

please provide me with a litigation search for the above identified patent that is associated with Reissue 09514693, and RE36916

Thanks,

Lissi Marquis

# Litigation involving patent 5,514,907

Click on the docket number to view the docket. Click on the above patent number to view the patent.

Docket -

Case Heading

Date Filed

Date Retrvd

8:98cv822

Simpletech Inc v. Dpac Technologies

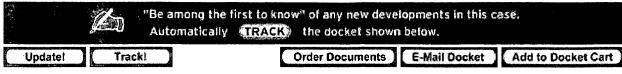
9/23/1998

3/18/2004

# Litigation involving patent RE36,916

Click on the docket number to view the docket. Click on the above patent number to view the patent.

Docket A	Case Heading	Date Filed	Date Retrvd
8:03cv11/88	Simpletech Inc v. Staktek Corp	7/29/2003	12/2/2004
8:01cv231	Simple Technology v. Dense-Pac Microsys	2/21/2001	3/18/2004



# Online Docket Sheet

CourtLink obtained this docket from the court on 1/5/2005. If you need an updated version click Update. (No Charge!)

To view the patents at issue in this case, click here. (No charge!)

A LexisNexis Case Law Summary, related documents or opinions are available for this case. In order to view this information you must have a LexisNexis account. When you view this information standard LexisNexis charges will apply. To view this information click on the LexisNexis Cite below. 2001 U.S. Dist. LEXIS 25160

If you do not have a LexisNexis account click here for subscription information.

## **US District Court Civil Docket**

# **US District Court for the Central District of California** (Southern Division)

## 8:98cv822

## Simpletech Inc v. Dpac Technologies

This case was retrieved from the court on Wednesday, January 5, 2005

Date Filed: 09/23/1998

Assigned To: Judge Alicemarie H Stotler Referred To: Discovery Elgin Edwards

Nature of suit: Patent (830)

Cause: Patent Infringement

Lead Docket: None Other Docket: None

**Jurisdiction: Federal Question** 

Class Code: (XXEEx),

CLOSED

Closed: Yes

Statute: 35:0271

Jury Demand: Both

**Demand** 

Amount: \$0

### Litigants

Simpletech Inc A California Corporation Formerly Known as Simple Technology Inc **PLAINTIFF** 

### **Attorneys**

Joseph F Jennings [COR LD NTC] Knobbe Martens Olson & Bear 2040 Main St, 14TH FL Irvine, CA 92614 **USA** 949-760-0404

Joseph R Re COR LD NTC Knobbe Martens Olson & Bear 2040 Main St, 14TH FL Irvine, CA 92614

USA 949-760-0404

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Dpac Technologies Corp A California Corporation Formerly Known as Dense-Pac Microsystems Inc DEFENDANT

Joanne S Redmann [COR LD NTC] [Term: 06/04/2003] Liner Yankelevitz Sunshine & Regenstreif 1100 Glendon Ave, 14TH FL Los Angeles, CA 90024-3503 **USA** 310-500-3500 Fax: 310-500-3501

John P Scherlacher [COR LD NTC] [Term: 10/04/1999] Loeb & Loeb 10100 Santa Monica Blvd, Ste 2200 Los Angeles , CA 90067-4164 USA 310-282-2000

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Kit M Stetina [COR LD NTC] Stetina Brunda Garred & Brucker 75 Enterprise, Ste 250 Aliso Viejo, CA 92656 USA 949-855-1246 Fax: 949-855-6371

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Gregory E Woodard [COR LD NTC] Morrison & Foerster 19900 MacArthur Blvd, Ste 1200 Irvine, CA 92612-2445 USA 949-251-7500 Fax: 949-251-0900

Dpac Technologies Corp Formerly Known as

Gregory E Woodard

Dense-Pac Microsystems Inc Counter CLAIMANT

[COR LD NTC] Morrison & Foerster 19900 MacArthur Blvd, Ste 1200 Irvine, CA 92612-2445 USA 949-251-7500 Fax: 949-251-0900

Joanne S Redmann [COR LD NTC] [Term: 06/04/2003] Liner Yankelevitz Sunshine & Regenstreif 1100 Glendon Ave, 14TH FL Los Angeles , CA 90024-3503 USA 310-500-3500 Fax: 310-500-3501

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Richard J Grabowski [COR LD NTC] Jones Day 3 Park Plz, Ste 1100 Irvine, CA 92614-6232 **USA** 949-851-3939 Fax: 949-553-7539

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Joseph R Re [COR LD NTC] Knobbe Martens Olson & Bear 2040 Main St. 14TH FL Irvine, CA 92614 USA 949-760-0404

Simpletech Inc Also Known as Simple Technology Inc Counter **CLAIMANT** 

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Dpac Technologies Corp Formerly Known as Dense-Pac Microsystems Inc Counter **DEFENDANT** 

Joanne S Redmann [COR LD NTC] [Term: 06/04/2003] Liner Yankelevitz Sunshine & Regenstreif 1100 Glendon Ave, 14TH FL Los Angeles , CA 90024-3503 USA 310-500-3500 Fax: 310-500-3501

John P Scherlacher [COR LD NTC] [Term: 10/04/1999] Loeb & Loeb 10100 Santa Monica Blvd, Ste 2200 Los Angeles , CA 90067-4164 USA 310-282-2000

Date	#	Proceeding Text
09/23/1998	1	COMPLAINT filed Summons(es) issd referred to Discovery Elgin Edwards (rm) (Entered: 09/28/1998)
09/23/1998	<u>2</u> ·	NOTICE by plaintiff Simple Technology of interested ptys (rm) (Entered: 09/28/1998)
09/23/1998	<del>-</del>	REPORT ON THE FILING OF AN ACTION REGARDING PATENTS (cc: form mailed to Washington, D.C.)(Opening) (rm) (Entered: 09/28/1998)
09/28/1998	3	MINUTES: (in chambs) Ord dir pla to fi a corrected cmp nlt 10-13-98 by Judge Alicemarie H. Stotler CR: none (krpa) (Entered: 09/30/1998)
10/13/1998	4	CORRECTED COMPLAINT [1-1] by plaintiff Simple Technology; jury demand. Summons not issd (mrgo) (Entered: 10/14/1998)
10/13/1998	<u>5</u>	NOTICE of filing corrected cmp by plaintiff Simple Technology (mrgo) (Entered: 10/14/1998)
10/13/1998	7	RETURN OF SUMMONS and proof of service executed upon defendant Dense-Pac Microsys on 9/24/98 srvd to Jill White by pers svc (krpa) (Entered: 10/16/1998)
10/15/1998	<u>6</u>	ANSWER to corrected complaint [4-1] and COUNTERCLAIM by defendant Dense-Pac Microsys against plaintiff Simple Technology; jury demand; summons not issd (mrgo) (Entered: 10/16/1998)
11/05/1998	8	STIPULATION and ORDER for ext of ti to resp to cntclms to & includ 11-11-98 by Judge Alicemarie H. Stotler (krpa) (Entered: 11/09/1998)
11/12/1998	9	ANSWER TO COUNTERCLAIM [6-2] (& CNTCLM) by counter-defendant Simple Technology (krpa) (Entered: 11/13/1998)
11/12/1998	9	(Answer to cntclm) & COUNTERCLAIM by counter-defendant Simple Technology against counter-claimant Dense-Pac Microsys (krpa) (Entered: 11/13/1998)

11/20/1998	<u>10</u>	ORDER re mtng of cnsl by Judge Alicemarie H. Stotler; mandatory status conference set on 1:30 1/11/99 (krpa) (Entered: 11/23/1998)
12/02/1998	<u>11</u>	ANSWER TO COUNTERCLAIM [9-1] by counter-defendant Dense-Pac Microsys (krpa) (Entered: 12/03/1998)
12/22/1998	<u>12</u>	JOINT REPORT OF EARLY MEETING OF COUNSEL filed. Estimated length of trial 10 dys (krpa) (Entered: 01/05/1999)
12/30/1998	<u>13</u>	STIPULATION and ORDER for protect ord of confid & proprietary info produced by the ptys: (see doc for specifics) by Judge Alicemarie H. Stotler (krpa) Modified on 04/15/1999 (Entered: 01/07/1999)
01/11/1999	<u>14</u>	MINUTES: ; mandatory status conference held ;discovery ddl set on 8/2/99 ; motion filing ddl set on 8/30/99 ; pretrial conference on 2:00 11/8/99 ; jury trial set on 10:00 12/21/99 by Judge Alicemarie H. Stotler CR: none (krpa) (Entered: 01/13/1999)
04/05/1999	<u>15</u>	NOTICE OF MOTION AND MOTION by defendant Dense-Pac Microsys for summary adjudication of NON-INFRNGMNT OF CLM 1-15 of US Patent no 5,514,907; motion hearing set for 10:00 4/26/99 Lodged prop stmt/prop ord (krpa) (Entered: 04/15/1999)
04/05/1999	<u>16</u>	MEMORANDUM of P/A IN SUPPORT by defendant Dense-Pac Microsys of motion for summary adjudication of NON-INFRNGMNT OF CLM of US Patent no 5,514,907 [15-1] (krpa) (Entered: 04/15/1999)
04/05/1999	<u>17</u>	NOTICE OF MOTION AND MOTION by defendant Dense-Pac Microsys for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907; motion hearing set for 10:00 4/26/99 Lodged prop stmt/prop ord (krpa) (Entered: 04/15/1999)
04/05/1999	<u>18</u>	MEMORANDUM of P/A IN SUPPORT by defendant Dense-Pac Microsys of motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1] (krpa) (Entered: 04/15/1999)
04/14/1999	<u>19</u>	STIPULATION and ORDER by Judge Alicemarie H. Stotler resetting hearing on motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1] 5/10/99, resetting hearing on motion for summary adjudication of NON-INFRNGMNT OF CLM 1-15 of US Patent no 5,514,907 [15-1] 10:00 5/10/99; the due dts for opp & rply be set for 4-19-99 & 5-3-99 (krpa) (Entered: 04/23/1999)
04/19/1999	<u>20</u>	MEMO OF P/A IN OPPOSITION by plaintiff Simple Technology to dft's motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1] (krpa) (Entered: 04/27/1999)
04/19/1999	<u>21</u>	DECLARATION of Joseph F Jennings by plaintiff Simple Technology in suppt of pla's opp to dft's motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1] (krpa) (Entered: 04/27/1999)
04/19/1999	22	STATEMENT gen iss of mat fact in opp by plaintiff Simple Technology re motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1] (krpa) (Entered: 04/27/1999)
04/19/1999	<u>23</u>	APPENDIX of auths filed by plaintiff Simple Technology cited in suppt of pla's opp to dft's mtn for S/Adjud of invalid of clm,s 1-15 of US Patent no. 5,514,907 [17-1] (krpa) (Entered: 04/27/1999)
04/20/1999	24	DECLARATION of Charles E Bauer PhD by defendant Dense-Pac Microsys in suppt of dft's motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1] (krpa) (Entered: 04/27/1999)
04/26/1999	25	DECLARATION of Mark Moshayedi by plaintiff Simple Technology in suppt of pla's opp to dft's motion for summary adjudication of NON-INFRNGMNT OF CLM 1-15 of US Patent no 5,514,907 [15-1] (krpa) (Entered: 05/03/1999)
05/03/1999	<u>26</u>	NOTICE OF MOTION AND MOTION by plaintiff Simple Technology for partial summary judgment of literal infringment of clm 12 of US Patent no 5,514,907; motion hearing set for 10:00 5/24/99 Lodged stmt/prop ord (krpa)

		(Entered: 05/06/1999)
05/03/1999	<u>27</u>	DECLARATION of Mark Moshayedi by plaintiff Simple Technology re motion for partial summary judgment of literal infringment of clm 12 of US Patent no 5,514,907 [26-1] (krpa) (Entered: 05/06/1999)
05/03/1999	28	APPENDIX of auths cited filed by plaintiff Simple Technology in suppt of pla's mtn for part S/J of lit infringmnt of clm 12 of US Patent no. 5,514,907 [26-1] (krpa) (Entered: 05/06/1999)
05/03/1999	<u>29</u>	DECLARATION of Edward G Bruce by defendant Dense-Pac Microsys re motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1] (krpa) (Entered: 05/06/1999)
05/06/1999	30	MINUTES: (in chambs) Ord resetting hearing on dft's motion for partial summary judgment of literal infringment of clm 12 of US Patent no 5,514,907 [26-1] 2:00 6/11/99, resetting hearing on dft's motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1] 2:00 6/11/99, resetting hearing on pla's motion for summary adjudication of NON-INFRNGMNT OF CLM 1-15 of US Patent no 5,514,907 [15-1] 2:00 6/11/99; dft's opp to pla's rply rel to pla's mtn shall be fld & srvd nlt 5-17-99 & 5-24-99 respectively by Judge Alicemarie H. Stotler CR: none (krpa) (Entered: 05/11/1999)
05/07/1999	<u>31</u>	STATEMENT nonliab as to clms 1-11 & 13-15 of US patent no 5,514,907 re: by plaintiff Simple Technology re motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1], motion for summary adjudication of NON-INFRNGMNT OF CLM 1-15 of US Patent no 5,514,907 [15-1] (krpa) (Entered: 05/11/1999)
05/17/1999	<u>42</u>	STATEMENT of appearance of co-cnsl Stetina Brunda Garrad & Brucker by defendant Dense-Pac Microsys (krpa) (Entered: 05/21/1999)
05/24/1999	<u>43</u>	SUPPL DECLARATION of Joseph F Jennings by plaintiff Simple Technology in suppt of pla's rply re its motion for partial summary judgment of infringment of clm 12 of US Patent no 5,514,907 [26-1] (krpa) (Entered: 05/25/1999)
05/27/1999	<u>44</u>	NOTICE of intent to display video presentation dur the 6-11-99 hrg by defendant Dense-Pac Microsys (krpa) (Entered: 06/03/1999)
06/04/1999	<u>45</u>	MINUTES: (in chambs) Ord resetting hearing on dft's motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1] 10:00 6/21/99, resetting hearing on motion for summary adjudication of NON-INFRNGMNT OF CLM 1-15 of US Patent no 5,514,907 [15-1] 10:00 6/21/99 & resetting hearing on pla's motion for partial summary judgment of literal infringment of clm 12 of US Patent no 5,514,907 [26-1] 6/21/99 by Judge Alicemarie H. Stotler CR: none (krpa) (Entered: 06/08/1999)
06/08/1999	<u>47</u>	NOTICE of intent to display video presentation dur the 6-11-99 hrg by defendant Dense-Pac Microsys (krpa) (Entered: 06/10/1999)
06/08/1999	<u>48</u>	JNT STIPULATION and ORDER to revise PT Sched ord by Judge Alicemarie H. Stotler; discovery ddl set on 11/1/99; motion filing ddl set on 11/29/99; pretrial conference on 2:00 2/14/00; jury trial set on 10:00 3/28/00 (krpa) (Entered: 06/10/1999)
06/11/1999	<u>50</u>	OBJECTIONS by plaintiff Simple Technology to Dense-Pac's submission of video after the close of briefing on pend S/J mtns [26-1], [17-1], [15-1] (mrgo) (Entered: 06/17/1999)
06/18/1999	<u>51</u>	RESPONSE by defendant Dense-Pac Microsys to pla's objts to dft's submission of video after the close of br on pend motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1], to motion for summary adjudication of NON-INFRNGMNT OF CLM 1-15 of US Patent no 5,514,907 [15-1] (krpa) (Entered: 06/28/1999)
06/21/1999	<u>52</u>	MINUTES: Re: pla/cntclmnt's mtn for part S/J of lit infringmnt of clm 12 of US Pat No. 5,514,907; dft/cntpla's mtn for S/Adjud of non-infrmnt of clms 1-15 PF US Pat No. 5,514,907; dft/cntpla's mtn for S/Adjud of invalid of clms 1-15 of

		US Pat No. 5,514,907: the pla will submit a br (not to exceed 10 pgs) in obj to videotape provided by the dft for today's proceeding, nlt 2 wks from today's dt; the dft will submit case citation mentioned at today's hrg & will tag & submit the exhts from today's hrg for the crt's consid nlt 2 wks from today's dt; the 3 mtns stand submitted before the crt by Judge Alicemarie H. Stotler CR: K Haaland (krpa) (Entered: 06/28/1999)
06/30/1999	<u>53</u>	SUPPLEMENTAL case citation by defendant Dense-Pac Microsys in suppt of dft's motion for summary adjudication of NON-INFRNGMNT OF CLM 1-15 of US Patent no 5,514,907 [15-1] (krpa) (Entered: 07/07/1999)
07/01/1999	<u>54</u>	DEMONSTRATIVE PHYSICAL EXHIBITS in suppt of dft's mtn of S/Adjud of non-infringment of clms 1-15 of US Patent 5,514,907 (krpa) (Entered: 07/07/1999)
07/06/1999	<u>55</u>	REPLY by plaintiff Simple Technology to dft's video presentation in suppt of its motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1], motion for summary of NON-INFRNGMNT OF CLM 1-15 of US Patent no 5,514,907 [15-1] (krpa) (Entered: 07/08/1999)
08/27/1999	<u>57</u>	NOTICE OF MOTION AND MOTION by plaintiff/ counter-defendant Simple Technology for summary judgment of non-infringement of US patent #4,956,694 motion hearing set for 10:00 9/27/99 ; Lodged stmt and prop ord (kh) (Entered: 09/08/1999)
08/27/1999	<u>58</u>	MEMORANDUM OF P/A IN SUPPORT by plf/cntdft Simple Technology of motion for summary judgment of non- infringement of US patent #4,956,694 [57-1] (kh) (Entered: 09/08/1999)
08/27/1999	<u>59</u>	DECLARATION of Mark Moshayedi by plf/cntdft Simple Technology in suppt of motion for summary judgment of non-infringement of US patent #4,956,694 [57-1] (kh) (Entered: 09/08/1999)
08/27/1999	<u>60</u>	DECLARATION of Joseph F. Jennings by plf/cntdft Simple Technology in suppt of motion for summary judgment of non-infringement of US patent #4,956,694 [57-1] (kh) (Entered: 09/08/1999)
08/27/1999	<u>61</u>	APPEND OF AUTH cited by plaintiff/counter-defendant in suppt of motion for summary judgment of non-infringement of US patent #4,956,694 [57-1] (kh) (Entered: 09/08/1999)
08/30/1999	<u>62</u>	REVISED NOTICE OF motion and motion for summary judgment of non-infringement of US patent #4,956,694 [57-1] filed by plaintiff/counter-defendant Simple Technology (kh) (Entered: 09/09/1999)
09/01/1999	<u>63</u>	NOTICE OF DISCREPANCY AND ORDER that mtn for s/j rcd 8/30/99 be filed and proc by Judge Alicemarie H. Stotler (kh) (Entered: 09/11/1999)
09/08/1999	64	STIPULATION and ORDER by Judge Alicemarie H. Stotler that the briefing sched & hrng on dft's mtn for summ jgm as fol: opp: 9/29/99, rply brief: 10/11/99 & cont hrng on motion for summary judgment of non-infringement of US patent #4,956,694 [57-1] to 10/25/99 (rmi) (Entered: 09/15/1999)
09/20/1999	<u>65</u>	NOTICE of Atty Change of Firm filed by JoAnne S. Redmann, cnsl for Plf/Cntclm Dense-pac Microsystems Inc (lb) (Entered: 09/27/1999)
09/29/1999	66	OPPOSITION by dft Dense-Pac Microsys, cntclm Dense-Pac Microsys to plf & cntdft Simple Technology's mot for S/J of non-infringement of US patent #4,956,694 [57-1] (lb) (Entered: 10/06/1999)
09/29/1999	67	STATEMENT Genuine Issues of Material Fact in opp by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys Simple Technology's motion for summary judgment of non-infringement of US patent #4,956,694 [57-1] (lb) (Entered: 10/06/1999)
09/29/1999	<u>68</u>	DECLARATION of Charles E Bauer, Ph.d. in Supp by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys Opp to motion for summary judgment of non-infringement of US #4,956,694 [57-1] (lb) (Entered: 10/06/1999)

09/29/1999	<u>69</u>	APPENDIX of Authorities in Suppt filed by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys in opp re [57-1] (lb) (Entered: 10/06/1999)
09/29/1999	<u>70</u>	OBJECTIONS by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys to decl of Joseph F Jennings in suppt re [57-1] (lb) (Entered: 10/06/1999)
09/29/1999	<u>71</u>	REQUEST by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys to Strike & Evidentiary Objections to Decl of Mark Moshayedi in supp of plf/cntdft's mot for S/J (lb) (Entered: 10/06/1999)
10/04/1999	<u>73</u>	STIPULATION and ORDER by Judge Alicemarie H. Stotler: IT IS HEREBY ORD, the Pretrial Sched Ord be REVISED as follows: Plf/Cntclm expert rpts due 12/15/99; Dft/Cntdft expert rpts due 1/14/00 discovery ddl set on 1/14/00; PTC on 2:00 4/24/00; Expert Depo Cutoff: 2/7/00 (lb) (Entered: 10/08/1999)
10/04/1999	<u>75</u>	ATTORNEY SUBSTITUTION: terminating attorney John P Scherlacher for Dense-Pac Microsys & substituting attorney JoAnne S Redmann; by Judge Alicemarie H. Stotler (lb) (Entered: 10/12/1999)
10/06/1999	<u>72</u>	MINUTES: On 9/30/99, the ptys ldgd a Joint Stip & Ord to revise Pretrial Sched Ord. On 10/4/99, the Crt signed the Joint Stip & Ord, CONTINUING the Pretrial Conf to 4/24/00. Beacuse the ptys did not propose a continuance of the 3/28/00, Jury Trial, the Crt hereby RESETS the jury trial to 10:00 6/6/00 by Judge Alicemarie H. Stotler CR: n/a (lb) (Entered: 10/08/1999)
10/06/1999	74	MINUTES: (In Chambers) The dft's 9/29/99 flgs are hereby ord STRICKEN for failure to comply w/LR 3.4.1's ten character per inch limitation: striking motion opposition [66-1], striking statement [67-1], striking request [71-1], striking objection [70-1], striking declaration [68-1], striking documents [69-1], striking declaration of Joanne S. Redmann. Because of the LR violation set forth (see doc for rule specifics) the Mot in Opp to plf's Mot for S/J [62-1] is CONTINUED to 10:00 11/8/99. The Crt resets the briefing schedule as fol: Dft's doc in opp to plf's Mot for S/J must be fld & srvd NLT 10/18/99; plf's reply must be fld & srvd NLT 10/25/99. (see doc for more details) by Judge Alicemarie H. Stotler; CR: n/a; (cc: cnsl) (lb) (Entered: 10/08/1999)
10/15/1999	<u>76</u>	OPPOSITION by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys to plf/cntdft's motion for summary judgment of non-infringement of US patent #4,956,694 [57-1] (mrgo) (Entered: 10/25/1999)
10/15/1999	<u>77</u>	STATEMENT of genuine issues by defendant Dense-Pac Microsys, counter- claimant Dense-Pac Microsys in opp to plf's motion for summary judgment of non-infringement of US patent #4,956,694 [57-1] (mrgo) (Entered: 10/25/1999)
10/15/1999	<u>78</u>	DECLARATION of Charles E Bauer by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys in suppt of dft/cntclm's opp to plf's motion for summary judgment of non-infringement of US patent [57-1] (mrgo) (Entered: 10/25/1999)
10/15/1999	<u>79</u>	APPENDIX OF AUTH filed by defendant Dense-Pac Microsys, counter- claimant Dense-Pac Microsys in suppt of dft/cntclm's opp to plf's mtn for S/J [57-1] (mrgo) (Entered: 10/25/1999)
10/15/1999	<u>80</u>	REQUEST TO STRIKE & EVID OBJ by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys to decl of Mark Moshayedi in suppt of plf/cntdft's motion for summary judgment of non-infringement of US patent #4,956,694 [57-1] (mrgo) (Entered: 10/25/1999)
10/15/1999	<u>81</u>	EVID OBJECTIONS by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys to decl of Joseph F Jennings in suppt of plf/cntdft's mtn for S/J [57-1] (mrgo) (Entered: 10/25/1999)
10/25/1999	84	Appendix of other Auth by plaintiff & Counter-dft Simple Technology cited in suppt of their rply memo in suppt of its motion for summary judgment of non-infringement of US #4,956,694 [57-1] (rmi) (Entered: 10/27/1999)

10/25/1999	<u>85</u>	RESPONSE by plaintiff Simple Technology, counter-defendant Simple Technology to Dense-Pac's objections [81-1] & requests to strk the decl of Mark Moshayedi & Joseph F Jennings (rmi) (Entered: 10/27/1999)
10/25/1999	<u>86</u>	REPLY memo by counter-defendant Simple Technology, plaintiff Simple Technology in suppt of itms motion for summary judgment of non-infringement of US patent #4,956,694 [57-1] (rmi) (Entered: 10/27/1999)
10/25/1999	<u>87</u>	SUPPL DECLARATION of Mark Moshayedi by plaintiff Simple Technology, counter-defendant Simple Technology in suppt of its motion for summary judgment of non-infringement of US patent #4,956,694 [57-1] (rmi) (Entered: 10/27/1999)
10/25/1999	88	Notcie of Relevant development by plaintiff Simple Technology, counter-defendant Simple Technology concerning dfts' pending motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1] (rmi) (Entered: 10/27/1999)
11/01/1999	<u>89</u>	REPLY by dft/cntclm Dense-Pac Microsys to plf Simple Technology's Response re [85-1] (lb) (Entered: 11/08/1999)
11/03/1999	90	RESPONSE by Dense-Pac Microsys, Dense-Pac Microsys to plf Simple Technology's Ntc of Relevant Developments concerning Dft's pending motion for partial summary judgment of Invalidity of US Patent no 5,514,907 [26-1] (lb) (Entered: 11/15/1999)
11/08/1999	<u>91</u>	MINUTES: takin plf's Motion for summary judgment of non-infringement of US patent #4,956,694 [57-1] under subm by Judge Alicemarie H. Stotler CR: Kathy Haaland (rmi) (Entered: 11/18/1999)
11/30/1999	93	NOTICE OF MOTION AND MOTION by plaintiff Simple Technology to compel resp to interrogs & req for productn , Req for attorney fees ; motion hearing set for 10:00 12/14/99 Lodged proposed ord (jd) (Entered: 12/07/1999)
11/30/1999	94	Declaration of Joseph S. Cianfrani in supprt by plaintiff Simple Technology to motion to compel resp to interrogs & req for productn [93-1], motion Req for attorney fees [93-2] (jd) (Entered: 12/07/1999)
11/30/1999	<u>95</u>	Joint Stip by plaintiff Simple Technology, defendant Dense-Pac Microsys to motion to compel resp to interrogs & req for productn [93-1], motion Req for attorney fees [93-2] (jd) (Entered: 12/07/1999)
11/30/1999	<u>96</u>	STIPULATION filed for discovery re: Defendant Dens-Pac Motion to Compel Productn of Docs & Req for Attys fees (jd) (Entered: 12/07/1999)
11/30/1999	97	APPENDIX filed by defendant Dense-Pac Microsys in supprt of Dense-Pac Motion to Compel Productn of Docs & Req for Attys fees. (jd) (Entered: 12/07/1999)
12/02/1999	92	MINUTES (In Chambers): ntc to cnsl-L.R. 2.10; ret letter dtd 11/17/99; (see doc for specifics); by Judge Alicemarie H. Stotler CR: not present (rmi) (Entered: 12/03/1999)
12/02/1999	108	NOTICE OF MOTION AND MOTION by defendant & counter-defendant Dense-Pac Microsys to compel prod of docs, and for attorney fees; motion hearing set for 10:00 12/14/99 Lodged (seal) (Entered: 12/20/1999)
12/07/1999	<u>105</u>	SUPPL BRIEF FILED by plaintiff Simple Technology, counter-defendant Simple Technology in suppt of its mot to comp resps to interrog & prod of docs [93-1] (mrgo) (Entered: 12/20/1999)
12/07/1999	106	DECLARATION of Joseph F Jennings by plaintiff Simple Technology, counter-defendant Simple Technology in suppt of its motion compel resp to interrogs & req for productn [93-1], & motion Req for attorney fees [93-2] (mrgo) (Entered: 12/20/1999)
12/07/1999	<u>107</u>	SUPPL BR IN OPPOSITION by plaintiff Simple Technology, counterdefendant Simple Technology re its motion to compel resp to interrogs & req for productn [93-1] (mrgo) (Entered: 12/20/1999)

12/07/1999	<u>110</u>	APPENDIX filed by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys of other auth cited in dft/cntclm's suppl memo in suppt of its mot to comp prod of docs [108-1], & req for attys fees [108-2] (mrgo) (Entered: 12/21/1999)
12/07/1999	<u>111</u>	SUPPL MEMO IN RESPONSE by defendant Dense-Pac Microsys, counter- claimant Dense-Pac Microsys to plf/cntdft's motion to compel resp to & req for productn [93-1], to motion Req for attorney fees [93-2] (mrgo) (Entered: 12/21/1999)
12/08/1999	109	NOTICE OF DISCREPANCY AND ORDER mot to compel and prop ord, lacking ntc/untimely be fld by Discovery Elgin Edwards (lc) (seal) Modified on 12/20/1999 (Entered: 12/20/1999)
12/13/1999	99	ORDER by Discovery Elgin Edwards GRANT in part DENY in part dft's motion to compel resp to interrogs & req for productn [93-1] (see doc for specifics), denying dft's motion Req for attorney fees w/o prej [93-2] (mrgo) (Entered: 12/13/1999)
12/13/1999	112	DECLARATION of Joseph S Cianfrani by plaintiff Simple Technology, counter-defendant Simple Technology in opp to dft/cntclm Dense-Pac's motion compel prod of docs [108-1], motion for attorney fees [108-2] (mrgo) (Entered: 12/21/1999)
12/14/1999	<u>113</u>	NOTICE OF MOTION AND MOTION by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys to compel prod of docs, and request for attorney fees; motion hearing set for 10:00 1/4/00 Lodged prop ord (mrgo) (Entered: 12/27/1999)
12/14/1999	<u>114</u>	APPENDIX filed by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys of other auth cited in suppt of its mot to comp prod of docs [113-1], & req for atty fees [113-2] (mrgo) (Entered: 12/27/1999)
12/14/1999	<u>115</u>	JNT STIP by plaintiff Simple Technology, counter-defendant Simple Technology re dft & cntclm Dense-Pac's motion to compel prod of docs [113-1], motion request for attorney fees [113-2] (mrgo) (Entered: 12/27/1999)
12/15/1999	104	ORDER by Discovery Elgin Edwards GRANT in part DENY in part dft's motion to compel resp to interrogs & req for productn [93-1], denying dft's motion Req for attorney fees [93-2], (see doc for specifics), sent cpys (rmi) (Entered: 12/16/1999)
12/16/1999	<u>116</u>	AMENDED NOTICE by defendant Dense-Pac Microsys of hearing resetting hearing on motion to compel prod of docs [108-1] 10:00 1/4/00, resetting hearing on motion for attorney fees [108-2] 10:00 1/4/00 (jd) (Entered: 12/28/1999)
12/27/1999	117	SUPPL MEMO IN OPPOSITION by plaintiff Simple Technology, counter-defendant Simple Technology to dft/cntplf's motion to compel prod of docs [113-1] (mrgo) (Entered: 01/03/2000)
12/27/1999	118	SUPPL MEMORANDUM IN SUPPORT by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys of its motion to compel prod of docs [113-1], motion request for attorney fees [113-2] (mrgo) (Entered: 01/03/2000)
01/06/2000		MINUTES: (in chambs) granting dft's motion to compel prod of docs [113-1] to the extent that it seeks an ord to comp prod of docs resp to the requests for prod in issue, namely, requests 38 & 43-46; denying dft's motion request for attorney fees [113-2] W/O PREJ by Discovery Elgin Edwards CR: n/a (mrgo) (Entered: 01/10/2000)
01/10/2000		MINUTES (Discovery Conf-telephonic): the Magistrate Judge by phone w/cnsl for the ptys & for a non-pty wit on dft's exparte oral appl to compel prod of wits under rule 30(b)(6) & for an ord compelling the wit to testify to certain subj matter; the appl was denied; by Discovery Elgin Edwards CR: n/a (rmi) (Entered: 01/10/2000)
01/14/2000	<u>121</u>	MINUTES: ; discovery conf-telephonic hld ; mtn by Dense-Pac to exclude

		consultant for Simple from attending depo is denied w/o prej to dft's moving again upon a show of disruption to the proceeding or other prej by Discovery Elgin Edwards CR: none (krpa) (Entered: 01/18/2000)
01/14/2000	122	AMENDED STIPULATION and ORDER for protection of confidential & proprietary info: (see doc for specifics) by Judge Alicemarie H. Stotler (krpa) (Entered: 01/20/2000)
01/21/2000	<u>123</u>	EX PARTE APPLICATION filed by defendant Dense-Pac Microsys to clarify ord to revise sched ord; memo of P/A Lodged prop ord (krpa) (Entered: 01/25/2000)
01/21/2000	124	DECLARATION of Dennis S Morris by defendant Dense-Pac Microsys re exparte motion to clarify ord to revise sched ord [123-1] (krpa) (Entered: 01/25/2000)
01/24/2000	<u>125</u>	MEMORANDUM of P/A by plaintiff Simple Technology in opposition to dft's exparte motion to clarify ord to revise sched ord [123-1] (krpa) (Entered: 01/26/2000)
01/24/2000	<u>126</u>	DECLARATION of Joseph S Cianfrani by plaintiff Simple Technology in suppt of pla's exparte motion to clarify ord to revise sched ord [123-1] (krpa) (Entered: 01/26/2000)
01/25/2000	127	NOTICE OF MOTION AND MOTION by plaintiff Simple Technology to dismiss any affirm def of failure to state a clm or altern to amend & suppl the cmp; motion hearing set for 10:00 2/14/00 Lodged prop ord/1st A/C (krpa) (Entered: 01/26/2000)
01/25/2000	128	MEMORANDUM of P/A IN SUPPORT by plaintiff Simple Technology of motion to dismiss any affirm def of failure to state a clm [127-1], motion to amend & suppl the cmp [127-2] (krpa) (Entered: 01/26/2000)
01/31/2000	132	APPENDIX of other auths filed by defendant Dense-Pac Microsys cited in dft's opp to pla's mtn to dism or in altern to amd cmp & suppt its cmp [127-1], [127-2] (krpa) (Entered: 02/02/2000)
02/07/2000	135	APPENDIX of auth cited filed by plaintiff Simple Technology in suppt of pla's rply memo in suppt of its mtn to dism any affirm def clm or altern to amd the cmp & suppl its cmp [127-1], [127-2] (krpa) (Entered: 02/08/2000)
02/11/2000	<u>136</u>	JNT STIPULATION and ORDER to ext depo cut off dt to 2-21-00 by Judge Alicemarie H. Stotler (krpa) (Entered: 02/15/2000)
02/11/2000	<u>137</u>	ORDER by Judge Alicemarie H. Stotler denying exparte motion to clarify ord to revise sched ord [123-1] (krpa) (Entered: 02/15/2000)
02/11/2000	138	MINUTES: (in chambs) Ord taking under submission the pla's motion to dismiss any affirm def of failure to state a clm [127-1], & taking under submission the pla's motion to amend & suppl the cmp [127-2] by Judge Alicemarie H. Stotler CR: none (krpa) (Entered: 02/16/2000)
03/01/2000	<u>139</u>	NTC & REQ & ORDER of stimnt procedure selection by Judge Alicemarie H. Stotler (krpa) (Entered: 03/07/2000)
03/20/2000	<u>140</u>	NOTICE OF MOTION AND MOTION by defendant Dense-Pac Microsys for leave to fi suppl S/Adjud papers; dec of Dennis S Morris; motion hearing set for 10:00 4/10/00 Lodged prop suppl papers (krpa) (Entered: 03/22/2000)
03/20/2000	<u>141</u>	APPENDIX of other auths filed by defendant Dense-Pac Microsys cited in dft's ntc of mtn & mtn req lv to fi suppl s/adjud papers [140-1] (krpa) (Entered: 03/22/2000)
03/23/2000	145	MINUTES: Crt cont the PTC; pretrial conference on 2:00 5/22/00; trl to remain sched for 6-6-00 by Judge Alicemarie H. Stotler CR: none (krpa) (Entered: 03/30/2000)
03/27/2000	144	APPENDIX of auths filed by plaintiff Simple Technology cited in suppt of pla's opp to dft's mtn for Iv to fi suppl papers opp pla's mtn for S/J of non-infringment of US Patent no 4,956,694 [140-1] (krpa) (Entered: 03/29/2000)

03/29/2000	<u>146</u>	REQUEST by defendant Dense-Pac Microsys for fi docs underseal-DENIED (krpa) (Entered: 03/30/2000)
03/30/2000	<u>147</u>	STIPULATION filed to retrieve docs cur fld w/ the crt in ord to prop fi docs underseal; LDGD PROP ORD, MTN & SUPPL PAPERS (krpa) (Entered: 04/04/2000)
03/30/2000	<u>148</u>	NOTICE OF MOTION AND MOTION by defendant Dense-Pac Microsys for leave to fi suppl S/Adjud papers; dec of D Morris; motion hearing set for 10:00 4/10/00; (UNDERSEAL) (krpa) (Entered: 04/04/2000)
04/04/2000	<u>151</u>	ORDER by Judge Alicemarie H. Stotler granting stipulation to retrieve docs cur fld w/ the crt in ord to prop fi docs underseal [147-1] (ca) (Entered: 04/10/2000)
04/05/2000	<u>150</u>	MINUTES (In Chambers): crt, having rcvd read & considered dft's motion for leave to fi suppl S/Adjud papers [140-1] fins the matter appropriate for subm on the papers w/out oral arg; the matter is therefore, rmvd frm the crt's 4/10/00 cal; by Judge Alicemarie H. CR: not present (rmi) (Entered: 04/07/2000)
04/17/2000	152	NOTICE OF MOTION AND MOTION by counter-defendant Simple Technology, plaintiff Simple Technology to dismiss dft Dense-Pac's counterclms relating to the unasserted claims of US Patent No. 5,514,907 for lack of subject matter jurisdiction; motion hearing set for 2:00 p.m., on 5/22/00. Lodged Prop Order (ca) (Entered: 04/19/2000)
04/17/2000	<u>153</u>	DECLARATION of Jsoeph S. Cianfrani in suppt by counter-defendant Simple Technology, plaintiff Simple Technology re motion to dismiss dft Dense-Pac's counterclms relating to the unasserted claims of US Patent No. 5,514,907 for lack of subject matter jurisdiction [152-1] (ca) (Entered: 04/19/2000)
04/17/2000	154	MEMORANDUM of PA's in support by counter-defendant Simple Technology, plaintiff Simple Technology in support of motion to dismiss dft Dense-Pac's counterclms relating to the unasserted claims of US Patent No. 5,514,907 for lack of subject matter jurisdiction [152-1] (ca) (Entered: 04/19/2000)
04/17/2000	155	REVISED by counter-defendant Simple Technology, plaintiff Simple Technology to ntc of motn & motn of pltf Simple Tech, Inc. to dism cntclms relating to the unasserted clms of US Patent No. 5,514,907 for lack of subject matter juris [152-1]; motn hrg date set for 5/8/00, at 10:00 a.m. (ca) (Entered: 04/19/2000)
04/17/2000	<u>156</u>	REVISED by counter-defendant Simple Technology, plaintiff Simple Technology to pltfs motn to dism [153-1] (ca) (Entered: 04/19/2000)
04/17/2000	<u>157</u>	REVISED by counter-defendant Simple Technology, plaintiff Simple Technology to memo of PA's in suppt of motn to dism [154-1] (ca) (Entered: 04/19/2000)
04/24/2000	<u>158</u>	OPPOSITION by defendant Dense-Pac Microsys to pla's motion to dismiss dft Dense-Pac's counterclms relating to the unasserted claims of US Patent No. 5,514,907 for lack of subject matter jurisdiction [152-1] (krpa) (Entered: 04/27/2000)
04/24/2000	<u>159</u>	ORDER & stip to fi memo of contentions of fact & law in excess of limitation prescribed by LR 10 pgs over the 25 pg limit by Judge Alicemarie H. Stotler (krpa) (Entered: 04/27/2000)
05/01/2000	<u>160</u>	NOTICE OF MOTION AND MOTION by plaintiff Simple Technology in limine to exclude any test or argumnt that pla allegedly cpyd a dft product design (krpa) (Entered: 05/04/2000)
05/01/2000	<u>161</u>	NOTICE OF MOTION AND MOTION by plaintiff Simple Technology in limine to preclude dft from pres evid or argumnt that its US Patent no 5,612,570 or its frame prod are prior are to US Patent no. 5,514,907 Lodged ord (krpa) (Entered: 05/04/2000)
05/01/2000	162	DECLARATION of Joseph F Jennings by plaintiff Simple Technology re motion to dismiss dft Dense-Pac's counterclms relating to the unasserted claims of US Patent No. 5,514,907 for lack of subject matter jurisdiction [152-1] (krpa) (Entered: 05/04/2000)

05/01/2000	<u>163</u>	REPLY MEMO of P/A by plaintiff Simple Technology to pla's motion to dismiss dft Dense-Pac's counterclms relating to the unasserted claims of US Patent No. 5,514,907 for lack of subject matter jurisdiction [152-1] (krpa) (Entered: 05/04/2000)
05/01/2000	<u>164</u>	WITNESS list submitted by plaintiff Simple Technology (krpa) (Entered: 05/04/2000)
05/01/2000	<u>165</u>	APPENDIX of auths filed by plaintiff Simple Technology cited in suppt of pla's mtn in lim to exclude any test or argument that pla cpy'd a dft product design [160-1] (krpa) (Entered: 05/04/2000)
05/01/2000	<u>166</u>	APPENDIX of auths filed by plaintiff Simple Technology cited in suppt of pla's memo of contentions of fact & law (krpa) (Entered: 05/04/2000)
05/01/2000	167	Dft's wit narratives & time estimates for testimony (krpa) (Entered: 05/04/2000)
05/01/2000	168	Trial WITNESS list submitted by defendant Dense-Pac Microsys (krpa) (Entered: 05/04/2000)
05/01/2000	169	JNT EXHIBIT list by defendant Dense-Pac Microsys, plaintiff Simple Technology (krpa) (Entered: 05/04/2000)
05/02/2000	<u>176</u>	Dft's suppl wit narratives & times estaimates for testimony (krpa) (Entered: 05/04/2000)
05/03/2000	<u>177</u>	NOTICE OF DISCREPANCY AND ORDER to fi & process the memo of P/A in suppt of mtn in lim to preclude dft from presenting evid; dec of JF Jennings Idgd on 5-1-00 by Judge Alicemarie H. Stotler (cc: all counsel) (krpa) (Entered: 05/04/2000)
05/03/2000	<u>178</u>	NOTICE OF DISCREPANCY AND ORDER to fi & process the dft's memo fo contentions of fact 7 law ldgd on 5-1-00 by Judge Alicemarie H. Stotler (cc. all counsel) (krpa) (Entered: 05/04/2000)
05/03/2000	<u>179</u>	NOTICE OF DISCREPANCY AND ORDER to fi & process the pla's memo of contentions & fact 7 law ldgd on 5-1-00 by Judge Alicemarie H. Stotler (cc: all counsel) (krpa) (Entered: 05/04/2000)
05/03/2000	180	NOTICE OF DISCREPANCY AND ORDER to fi & process the memo of P/A; dec of JF Jennings in suppt of pla's mtn in lim to exclude any test of ldgd on 5-1-00 by Judge Alicemarie H. Stotler (cc: all counsel) (krpa) (Entered: 05/04/2000)
05/04/2000	<u>181</u>	MINUTES (In Chambers): granting Simples' motion to dismiss dft Dense-Pac's counterclms relating to the unasserted claims of US Patent No. 5,514,907 for lack of subject matter jurisdiction [152-1], the 5/8/00 hrg is vacated; (see doc for specifics); by Judge Alicemarie H. Stotler CR: not present (rmi) (Entered: 05/05/2000)
05/04/2000	182	ORDER by Judge Alicemarie H. Stotler granting plf's motion to dismiss dft Dense-Pac's counterclms relating to the unasserted claims of US Patent No. 5,514,907 for lack of subject matter jurisdiction [152-1]; ord that on 5/7/99, Simple Tech filed w/the crt & serve on Dense-Pac a stmt onf nonliability as to clms 1-11 and 13-15 of the '907 patent; in view of Simple Tech's stmt of nonliability, there is no case of actual controversy between the ptys w/respect to these clms of the '907 patent & this crt therefore lack subj matter juris over Dense-Pac's cntclms for decl jgm that clms 1-11 & 13-15 are invalid & not ingringed & that therefore dism; (Ent 5/5/00) (rmi) (Entered: 05/05/2000)
05/05/2000	<u>183</u>	NOTICE of Pior Art pursuant to 35 U.S.C. 282 by counter-defendant Simple Technology, plaintiff Simple Technology (ca) (Entered: 05/08/2000)
05/08/2000	186	NOTICE of prior art by defendant Dense-Pac Microsys (krpa) (Entered: 05/11/2000)
05/12/2000	<u>191</u>	ORDER & stip to ext ti to fi PTC Ord to & includ 5-15-00 by Judge Alicemarie H. Stotler (krpa) (Entered: 05/17/2000)
05/15/2000	<u>192</u>	SUPPLEMENTAL by defendant Dense-Pac Microsys re exht list [169-1] (krpa) (Entered: 05/17/2000)

05/16/2000	<u>193</u>	NOTICE OF MOTION AND MOTION by counter-defendant Simple Technology, plaintiff Simple Technology in limine to exclude dft Dense-Pac's alleged defense under 35 U.S.C. 112 Lodged Prop Order (ca) (Entered: 05/18/2000)
05/16/2000	194	MEMORANDUM OF PA'S by counter-defendant Simple Technology, plaintiff Simple Technology in support of motion in limine to exclude dft Dense-Pac's alleged defense under 35 U.S.C. 112 [193-1] (ca) (Entered: 05/18/2000)
05/16/2000	<u>195</u>	DECLARATION of Joseph F. Jennings in suppt by counter-defendant Simple Technology, plaintiff Simple Technology re motion in limine to exclude dft Dense-Pac's alleged defense under 35 U.S.C. 112 [193-1] (ca) (Entered: 05/18/2000)
05/16/2000	<u>196</u>	NOTICE OF MOTION AND MOTION by counter-claimant Dense-Pac Microsys, defendant Dense-Pac Microsys in limine to exclude reissue of US Patent 5,514,907 & evidence & testimony pertaining thereto Lodged Order (ca) (Entered: 05/18/2000)
05/16/2000	<u>197</u>	DECLARATION of Joanne S. Redmann in suppt by counter-claimant Dense-Pac Microsys, defendant Dense-Pac Microsys re motion in limine to exclude reissue of US Patent 5,514,907 & evidence & testimony pertaining thereto [196-1] (ca) (Entered: 05/18/2000)
05/16/2000	<u>198</u>	APPENDIX filed by counter-claimant Dense-Pac Microsys, defendant Dense-Pac Microsys re motion in lim to exclude evid & testimony regarding allegations of contributory infringement & induced infringement of US Patent No. 5,514,907 [196-1] (ca) (Entered: 05/18/2000)
05/16/2000	<u>199</u>	NOTICE RE: DOCUMENT WITHHELD FROM CASE FILE by counter- claimant Dense-Pac Microsys, defendant Dense-Pac Microsys (ca) (Entered: 05/18/2000)
05/16/2000	200	NOTICE RE DOCUMENT WITHHELD FROM CASE FILE by counter-claimant Dense-Pac Microsys, defendant Dense-Pac Microsys (ca) (Entered: 05/18/2000)
05/16/2000	201	NOTICE RE DOCUMENT WITHHELD FROM CASE FILE by counter-claimant Dense-Pac Microsys, defendant Dense-Pac Microsys (ca) (Entered: 05/18/2000)
05/16/2000	<u>202</u>	NOTICE RE: DOCUMENT WITHHELD FROM CASE FILE by counterclaimant Dense-Pac Microsys, defendant Dense-Pac Microsys (ca) (Entered: 05/18/2000)
05/16/2000	<u>203</u>	NOTICE RE: DOCUMENT WITHHELD FROM CASE FILE by counterclaimant Dense-Pac Microsys, defendant Dense-Pac Microsys (ca) (Entered: 05/18/2000)
05/16/2000	204	NOTICE RE: DOCUMENT WITHHELD FROM CASE FILE by counter- claimant Dense-Pac Microsys, defendant Dense-Pac Microsys (ca) (Entered: 05/18/2000)
05/16/2000	205	NOTICE OF MOTION AND MOTION by counter-defendant Simple Technology, plaintiff Simple Technology in limine to strike dfts ntc of prior art purs to 35 USC 282 & to exclude frm trial prior art tht was not previously noticed in compliance with 35 USC 282 Lodged Prop Ord (ca) (Entered: 05/19/2000)
05/16/2000	<u>206</u>	MEMORANDUM OF PA'S by counter-defendant Simple Technology, plaintiff Simple Technology in support of motion in limine to strike dfts ntc of prior art purs to 35 USC 282 & to exclude frm trial prior art tht was not previously noticed in compliance with 35 USC 282 [205-1] (ca) (Entered: 05/19/2000)
05/16/2000	207	NOTICE RE: DOCUMENT WITHHELD FROM CASE FILE by counter-defendant Simple Technology, plaintiff Simple Technology (ca) (Entered: 05/19/2000)
05/17/2000	208	MINUTES ORDER ADVANCING PRETRIAL CONFERENCE TO 10:00 A.M. ON MAY 22, 2000: ; pretrial conference set on 5/22/00 at 2:00 p.m., is

		advanced to 10:00 a.m. on 5/22/00 . The clk shall serve this minute ord on cnsl for all prtys in this actn & provide an advance cpy by telecopier by Judge Alicemarie H. Stotler CR: N/A (ca) (Entered: 05/19/2000)
05/17/2000	209	NOTICE OF ERRATA by plaintiff Simple Technology re pla's memo of contentions of fact & law fld 5-1-00 (krpa) (Entered: 05/23/2000)
05/22/2000	210	Submission of demonstrative exh used at oral argument by plaintiff Simple Technology on its motion in limine to preclude dft from pres evid or argumnt that its US Patent no 5,612,570 or its frame prod are prior are to US Patent no. 5,514,907 [161-1] (krpa) (Entered: 05/23/2000)
05/22/2000	234	MINUTES: Crt taking under submission the pla's motion in limine to preclude dft from pres evid or argumnt that its US no 5,612,570 or its frame prod are prior are to US Patent no. 5,514,907 [161-1], & taking under submission the pla's motion in limine to exclude any test or argumnt that pla allegedly cpyd a dft product design [160-1]; the ptc was hld; pretrial conference held; the cnsl are informed that the est 10 dys trl now set for 6-6-00 may be reset; the trl hrs will be from 9am to noon & from 1pm to 4pm Tuesdays thru Fridays; 6 to 8 jurors will be seated by Judge Alicemarie H. Stotler CR: Michelle McKay (krpa) (Entered: 06/05/2000)
05/23/2000	211	MEMORANDUM filed by plaintiff Simple Technology in opposition to dft's motion in limine to exclude any test or argumnt that pla allegedly cpyd a dft product design (krpa) (Entered: 05/24/2000)
05/23/2000	212	MEMORANDUM filed by plaintiff Simple Technology in opposition to motion in limine to exclude reissue of US Patent 5,514,907 & evidence & testimony pertaining thereto [196-1] (krpa) (Entered: 05/24/2000)
05/23/2000	216	OPPOSITION by plaintiff Simple Technology to dft's mtn in lim to exclude expert rpt & test of J Reed pertain to US Patent 5,956,694 & various refs (krpa) (Entered: 05/24/2000)
05/23/2000	217	NOTICE of ldg of depo transcript opf J Reed in suppt of pla's opp to dft's mtn in lim to exclude the expert rpt & test of J Reed pertain to US Patent no 5,956,694 & var refs by plaintiff Simple Technology (krpa) (Entered: 05/24/2000)
05/23/2000	218	NOTICE of ldg of depo transc of R Knudsen in suppt of pla's opp to dft's mtn in lim to exclude the expert rpts & test of R Knudsen re damages by plaintiff Simple Technology (krpa) (Entered: 05/24/2000)
05/23/2000	<u>219</u>	APPENDIX of other auths cited in dft's obj filed by defendant Dense-Pac Microsys to pla's mtn in lim to strike dft's ntc of prior art & excl trl prior art that was not prev ntcd in compliance [205-1] (krpa) (Entered: 05/24/2000)
05/23/2000	220	OBJECTIONS filed by defendant Dense-Pac Microsys to pla's motion in limine to exclude dft Dense-Pac's alleged defense under 35 U.S.C. 112 [193-1] (krpa) (Entered: 05/24/2000)
05/25/2000	223	Resp to dft's suppl br in opp by plaintiff Simple Technology to pla's motion in limine to preclude dft from pres evid or argumnt that its US Patent no 5,612,570 or its prod are prior are to US Patent no. 5,514,907 [161-1] (krpa) (Entered: 05/30/2000)
05/30/2000	225	Rply memo by plaintiff Simple Technology in suppt of pla's motion in limine to strike dfts ntc of prior art purs to 35 USC 282 to exclude frm trial prior art tht was not previously noticed in compliance with 35 USC 282 [205-1] (krpa) (Entered: 06/01/2000)
05/30/2000	226	Rply memo by plaintiff Simple Technology in suppt of its motion in limine to exclude dft Dense-Pac's alleged defense under 35 U.S.C. 112 [193-1] (krpa) (Entered: 06/01/2000)
05/30/2000	232	APPENDIX of other auths filed by defendant Dense-Pac Microsys cited in dft's rply to pla's opp to dft's mtn in limine to exclude the expert rpt & test of R Knudsen re damages [196-1] (krpa) (Entered: 06/01/2000)
05/30/2000	233	APPENDIX of other auths filed by defendant Dense-Pac Microsys cited in dft's

		rply to pla's opp to mtn in lim to exclude reissue of US Patent 5,514,907 & evid & test pertaining thereto (krpa) (Entered: 06/01/2000)
06/01/2000	224	MINUTES: (in chambs) Crt resetting hearing on the pend motions in limine [196-1] 10:00 2/13/01 [193-1] [205-1] [161-1] [160-1]; & cont trl pres set for 6-6-00 at 10am; jury trial set on 10:00 2/13/01 by Judge Alicemarie H. Stotler CR: none (krpa) (Entered: 06/01/2000)
06/13/2000	235	PROOF OF SERVICE by plaintiff Simple Technology on 6/13/00 of pla's opp to dft's mtn in lim to exclude the expert rpt & test of J Reed pertaining to US Patent no. 5,956,694 & var refs (krpa) (Entered: 06/15/2000)
07/28/2000	236	EX PARTE APPLICATION filed by defendant Dense-Pac Microsys, counter-defendant Dense-Pac Microsys to modify amend protective ord for protection of confidential & proprietary info filed 1/14/00; memo of PA; Lodged prop ord (rmi) (Entered: 08/01/2000)
07/28/2000	238	DECLARATION of Steven S Spitz by defendant, counter-claimant Dense-Pac Microsys in suppt of exparte appl to modify amend protective ord for protection of confidential & proprietary info filed 1/14/00 [236-1] (ks) Modified on 08/31/2000 (Entered: 08/09/2000)
07/31/2000	237	ORDER by Judge Alicemarie H. Stotler denying w/out prej to proceeding by noticed motion, dft, & cntclm's exparte motion to modify amend protective ord for protection of confidential & proprietary info filed 1/14/00, [236-1] (rmi) (Entered: 08/01/2000)
08/23/2000	<u>241</u>	NOTICE OF ASSOCIATION of Counsel for counter-claimant Dense-Pac Microsys, defendant Dense-Pac Microsys by attorney Richard J Grabowski, Gregory E Woodard (mrgo) (Entered: 08/28/2000)
10/30/2000	242	MINUTES: (In Chambers) jury trial cont to 10:00 3/27/01 setting hearing on motion in limine to exclude reissue of US Patent 5,514,907 & evidence & testimony pertaining thereto [196-1] 11:30 2/5/01, setting hearing on motion in limine to exclude dft Dense-Pac's alleged defense under 35 U.S.C. 112 [193-1] 11:30 2/5/01, setting hearing on motion in limine to strike dfts ntc of prior art purs to 35 USC 282 & to exclude frm trial prior art tht was not previously noticed in compliance with 35 USC 282 [205-1] 11:30 2/5/01, setting hearing on motion in limine to preclude dft from pres evid or argumnt that its US Patent no 5,612,570 or its frame are prior are to US Patent no. 5,514,907 [161-1] 11:30 2/5/01, setting hearing on motion in limine to exclude any test or argumnt that pla allegedly cpyd a dft product [160-1] 11:30 2/5/01. The ord of subm of certain motions in lim [234-2] is vac. Any mots in lim not already on file must be filed & svd NLT 1/21/1/00. Any opp must be filed & svd NLT 1/22/01 by Judge Alicemarie H. Stotler CR: not present (kh) (Entered: 10/31/2000)
11/03/2000	243	NOTICE re: document withheld from case file by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys (mt) (Entered: 11/07/2000)
11/03/2000	244	NOTICE re: document withheld from case file by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys (mt) (Entered: 11/07/2000)
11/13/2000	245	Notice of Relevant Develop by counter-defendant Simple Technology, plaintiff Simple Technology concerning dft's pend motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1] (rmi) (Entered: 11/15/2000)
11/13/2000	<u>246</u>	APPENDIX OF AUTH CITED IN SUPPORT by counter-defendant Simple Technology, plaintiff Simple Technology of exparte motion to modify amend protective ord for protection of confidential & proprietary info filed 1/14/00 [236-1] (rmi) (Entered: 11/15/2000)
11/13/2000	247	NOTICE re doc w/held frm case file (rmi) (Entered: 11/15/2000)
11/13/2000	248	NOTICE re doc w/held frm case file (rmi) (Entered: 11/15/2000)
11/20/2000	<u>249</u>	REPLY by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys in suppt of exparte motion to modify amended protective order of 1/14/00 [236-1] (mt) (Entered: 11/28/2000)

11/27/2000	<u>254</u>	MINUTES OF MOTN HRG before Judge Alicemarie H. Stotler: Crt's tentative ruling issd to cnsla copy is attchd to this MO; Crt rules in accordance w/tentative ruling. Dft & cntclmnt Dense-Pac Microsystems Inc's motn to modify amended protective order for protection of confidential & proprietary info fld 1/14/00 [243-1] is denied. CR: K Haaland (mt) (Entered: 12/12/2000)
11/29/2000	250	NOTICE OF MOTION AND MOTION by plaintiff Simple Technology, counter-defendant Simple Technology for leave to suppl its cmp; motion hearing set for 10:00 1/8/01 Lodged Ord & 2nd A/C (kh) (Entered: 12/09/2000)
11/29/2000	<u>251</u>	MEMORANDUM OF P/A IN SUPPORT by plaintiff Simple Technology, counter-defendant Simple Technology of motion for leave to suppl its cmp [250-1] (kh) (Entered: 12/09/2000)
11/29/2000	<u>252</u>	DECLARATION of Joseph F Jennings by plaintiff Simple Technology, counter-defendant Simple Technology in suppt of motion for leave to suppl its cmp [250-1] (kh) (Entered: 12/09/2000)
11/29/2000	253	APPENDIX filed by plaintiff Simple Technology, counter-defendant Simple Technology in suppt of mot for lv to suppl its cmp [250-1] (kh) (Entered: 12/09/2000)
12/18/2000	255	NOTICE OF MOTION AND MOTION by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys for leave to amd its cntcmp; motion hearing set for 10:00 1/8/01 Lodged Prop Ord; 1st Amd Cntclm (kh) (Entered: 12/26/2000)
12/18/2000	256	NOTICE re: document withheld from case file (kh) (Entered: 12/26/2000)
12/18/2000	257	NOTICE re: document withheld from case file (kh) (Entered: 12/26/2000)
12/18/2000	<u>258</u>	OPPOSITION by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys to motion for leave to suppl its cmp [250-1] (kh) (Entered: 12/26/2000)
12/18/2000	<u>259</u>	DECLARATION of Richard J Grabowski by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys in suppt of opp to motion for leave to suppl its cmp [250-1] (kh) (Entered: 12/26/2000)
12/26/2000	<u>263</u>	APPENDIX filed in suppt of plfs memo of p/a in oppos to Dense-Pac's mot to amd its countercomplaint by plaintiff Simple Technology (am) (Entered: 01/05/2001)
12/28/2000		REPLY by plaintiff Simple Technology memo of p/a in suppt of its mot for lv to suppl its complaint [250-1] (am) (Entered: 01/08/2001)
12/28/2000	266	APPENDIX filed by plaintiff Simple Technology of auths in suppt of plfs reply memo of p/a in suppt of its mot for lv to suppl its complt[265-1] (am) (Entered: 01/08/2001)
12/29/2000	260	NOTICE Re doc withheld from case file (ad) (Entered: 01/05/2001)
12/29/2000	261	NOTICE Re doc withheld from case file (ad) (Entered: 01/05/2001)
01/02/2001	262	MINUTES: (In Chambers): PIf's motion for leave to suppl its cmp [250-1] is denied; the Crt Ords that all operative pldgs & the propsd PTC Ord shall be deemed to refer to PIf's US Patent No. Re.36,916 ('916) whenever & wherever there is reference to the '907 patent. Similarly, the pending mots in limine shall be deemed to refer to claim 12 of the '916 patent rather than the '907 patent; Dft's motion for leave to amd its cntcmp [255-1] is stricken; the reply sealed doc [260-1] fld 12/29/00 is also stricken; (see doc for specifics); by Judge Alicemarie H. Stotler; CR: Not Present (ad) (Entered: 01/05/2001)
01/03/2001	267	APPLICATION AND ORDER of Non-Resident Attorney to Appear in a Specific Case filed for defendant Dense-Pac Microsys by Kenneth R Adamo. Designating Richard J Grabowski as local counsel. Approved by Judge Alicemarie H. Stotler. (Fee pd) (mt) (Entered: 01/09/2001)
01/17/2001	268	RECEIPT OF TRANSCRIPT of proceedings for the following date(s): 5/22/00 (Re: ) CR: Michell McKay (ghap) (Entered: 01/19/2001)

01/17/2001	=	TRANSCRIPT filed for proceedings held on 5/22/00 (ghap) (Entered: 01/19/2001)
01/22/2001	=	PLACED IN FILE - NOT USED: prop ord granting cntclmnts mot for lv to amd its cntcmp (kh) (Entered: 01/25/2001)
01/22/2001	=	PLACED IN FILE - NOT USED: prop 1st amd cntcmp (kh) (Entered: 01/25/2001)
01/22/2001	=	PLACED IN FILE - NOT USED: prop ord granting plf's mto for lv to supplement its cmp (kh) (Entered: 01/25/2001)
01/22/2001	=	PLACED IN FILE - NOT USED: prop 2nd suppl cmp for patent infringement (kh) (Entered: 01/25/2001)
02/01/2001	<u>269</u>	MINUTES (IN CHAMBERS) by Judge Alicemarie H. Stotler: The following in limine motns are set for hrg on the crt's 2/5/01 cal: (see doc for specifics). On the crt's own motn, hrg contd to 2/9/01 at 1:30pm. CR: Not Present (mt) (Entered: 02/05/2001)
02/06/2001	274	RESPONSE by plaintiff Simple Technology, counter-defendant Simple Technology to Dense-Pac's letter to the crt of 2/5/01 (mt) (Entered: 02/12/2001)
02/07/2001	<u>270</u>	MINUTES: (In Chambers): NOTICE OF FILING OF PTC ORD: Crt has modified, signed & filed the ptys' prop PTC ord which was ldgd 5/15/00 by Judge Alicemarie H. Stotler CR: not present (kh) (Entered: 02/08/2001)
02/07/2001	271	MINUTES (IN CHAMBERS) by Judge Alicemarie H. Stotler: Rulings: (1) denying dft's motion for summary jgm of invalidity of '916 patent; (2) denying dft's motion for summary jgm of non-infringement of '916 patent; (3) denying plf's motion for partial summary judgment of literal infringement of clm 12 of '916 patent; (4) granting plf/cntdft's motion for summary judgment of non-infringement of dft/cntclm's '694 patent; (5) denying dft Dense-Pac Microsystem Inc's motn for leave to file suppl papers in opp to plf's motn for summ jgm of non-infringement of '694 patent; (6) denying dft's motion to exclude John Reed's opinion re '694 patent; (7) denying plf's motn to dismiss any affirmative defense or to amend the cmp; (8) denying plf's motn to suppl cmp. (see doc for specifics) CR: Not Present (SEND) (mt) (Entered: 02/08/2001)
02/07/2001	<u>272</u>	ORDER by Judge Alicemarie H. Stotler (1) denying plf's motion to dismiss any affirmative defense of failure to state a clm or, in the alt, to amend the cmp (2) denying plf's motion to suppl cmp (see doc for specifics) (SEND) (mt) (Entered: 02/08/2001)
02/07/2001	273	ORDER by Judge Alicemarie H. Stotler (1) granting plf/cntdfts' motion for summary judgment of non-infringement of '694 patent; (2) denying dft/cntclm's motion for leave to file suppl papers opposing motn for S/J of non-infringement of '694 patent; & (3) denying dft's motn to exclude John Reed's opinion as to '694 patent (SEND) (mt) (Entered: 02/08/2001)
02/07/2001	275	STATEMENT of U/F & conclusions of law by plaintiff Simple Technology, counter-defendant Simple Technology in suppt of its motion for summary judgment of non-infringement of US patent #4,956,694 [57-1] (mt) (Entered: 02/12/2001)
02/07/2001	276	PRE-TRIAL CONFERENCE ORDER approved by Judge Alicemarie H. Stotler (cc: all counsel) (kh) (Entered: 02/14/2001)
02/08/2001	277	MINUTES: (In Chambers) NTC TO CNSL-LR 2.10: Itr rtnd dated 2/5/01 by Judge Alicemarie H. Stotler CR: not present (kh) (Entered: 02/14/2001)
02/08/2001	278	NOTICE OF WITHDRAWAL by defendant Dense-Pac Microsys, counter- claimant Dense-Pac Microsys withdrawing motion in limine to exclude reissue of US Patent 5,514,907 & evidence & testimony pertaining thereto [196-1] (cc: all counsel) (kh) (Entered: 02/14/2001)
02/09/2001	279	ORDER by Judge Alicemarie H. Stotler granting motion in limine to exclude dft Dense-Pac's alleged defense under 35 U.S.C. 112 [193-1] (kh) (Entered:

02/14/2001)

		02/14/2001)
02/09/2001	280	ORDER by Judge Alicemarie H. Stotler granting motion in limine to strike dfts ntc of prior art purs to 35 USC 282 & to exclude frm trial prior art tht was not previously noticed in compliance with 35 USC 282 [205-1] (kh) (Entered: 02/14/2001)
02/09/2001	<u>281</u>	DENIED ORDER by Judge Alicemarie H. Stotler denying motion in limine to exclude reissue of US Patent 5,514,907 & evidence & testimony pertaining thereto [196-1] (kh) (Entered: 02/14/2001)
02/09/2001	<del></del>	PLACED IN FILE - NOT USED: prop ord granting plf's mot for partial s/j of literal infringement of clm 12 of the US patent #5,514,907 (kh) (Entered: 02/14/2001)
02/09/2001	=	PLACED IN FILE - NOT USED: prop ord granting dft Dense-Pac's mot for summ adj of invalidity of clms 1-15 and dism plf Simple Tech's patent infringement clm (kh) (Entered: 02/14/2001)
02/09/2001	=	PLACED IN FILE - NOT USED: stmt of uncontroverted facts & conclus of law in suppt of dft Dense-Pac's mot for summ adj of non-infringement of clms 1-15 of US patent #5,516,907 (kh) (Entered: 02/14/2001)
02/09/2001		PLACED IN FILE - NOT USED: prop ord granting dft Dense-Pac's mot for sum adj of non-infringement of clms 1-15 of US patent 5,515,907 & dism plf Simple Tech's patent infringement clm (kh) (Entered: 02/14/2001)
02/09/2001	=	PLACED IN FILE - NOT USED: stmt of uncontrov facts & conclus of law in suppt of dft Dense-Pac's mot for sum adj of invaliduty of clms 1-15 of US patent #5,514,907 (kh) (Entered: 02/14/2001)
02/09/2001	<u></u>	NOTICE re: document withheld from case file (kh) (Entered: 02/14/2001)
02/09/2001	=	NOTICE re: document withheld from case file (kh) (Entered: 02/14/2001)
02/09/2001		NOTICE re: document withheld from case file (kh) (Entered: 02/14/2001)
02/09/2001		NOTICE re: document withheld from case file (kh) (Entered: 02/14/2001)
02/09/2001	 	PLACED IN FILE - NOT USED: prop ord den plf/cntdft Simple Tech's mot for s/j of non-infringement of US patent #4,956,694 (kh) (Entered: 02/14/2001)
02/09/2001	282	ORDER by Judge Alicemarie H. Stotler deny Defendant and counterclaimant Dense-Pac Microsystems Incs Motion in Limine to exclude the expert report and all testimony of Robert Knudsen regarding damages [201-1] (csb) (Entered: 07/25/2003)
02/09/2001	283	ORDER by Judge Alicemarie H. Stotler denying defendant and counterclaimant Dense-Pac Microsystems Incs motion in limine to exclude evidence and testimony regarding allegations of contributory infringement and inducing infringement of US Patent No 5,514,907 [199-1] (csb) (Entered: 07/25/2003)
02/12/2001		PLACED IN FILE - NOT USED: prop 1st amd & suppl cmp for patent infringement (kh) (Entered: 02/14/2001)
02/12/2001		PLACED IN FILE - NOT USED: prop ord granting plf/cntdft's mot to (1) dism, or in the alt to amd the cmp, & (2) suppl its cmp (kh) (Entered: 02/14/2001)
02/12/2001	<b>=</b>	PLACED IN FILE - NOT USED: prop ord granting plf/cntdft's mot for s/j of non-infringement of US patent #4,956,694 (kh) (Entered: 02/14/2001)
02/12/2001	<del></del>	PLACED IN FILE - NOT USED: prop ord granting dft/cntclmnt Dense-Pac's Microsystems mot in lim to exclude the expert testimony of John A Reed pertaining to US patent #5,956,694 & various references (kh) (Entered: 02/14/2001)
02/20/2001	284	NOTICE re doc w/held frm case file (rmi) (Entered: 02/22/2001)
02/20/2001	285	NOTICE re doc w/held frm case file (rmi) (Entered: 02/22/2001)
02/20/2001	286	NOTICE re doc w/held frm case file (rmi) (Entered: 02/22/2001)

02/23/2001	288	NOTICE OF MOTION AND MOTION by defendant Dense-Pac Microsys for partial summary judgment of noninfringement under the doctrine of equivalents of claim 12 of US reissue patent #036,916 in light of Fed Circuit's Festo Decision; motion hearing set for 10:00 3/27/01 (mt) (Entered: 03/02/2001)
02/23/2001	289	1ST AMENDED NOTICE OF PRIOR ART PURSUANT TO 35 USA 282 by defendant Dense-Pac Microsys, counter-defendant Dense-Pac Microsys (mt) (Entered: 03/02/2001)
02/23/2001	<u>290</u>	NOTICE re: document withheld from case file by defendant Dense-Pac Microsys, counter-defendant Dense-Pac Microsys (mt) (Entered: 03/02/2001)
02/23/2001	291	NOTICE re: document withheld from case file by defendant Dense-Pac Microsys, counter-defendant Dense-Pac Microsys (mt) (Entered: 03/02/2001)
02/23/2001	292	NOTICE re: document withheld from case file by defendant Dense-Pac Microsys, counter-defendant Dense-Pac Microsys (mt) (Entered: 03/02/2001)
02/28/2001	287	NOTICE OF DISCREPANCY AND ORDER by Judge Alicemarie H. Stotler that docs entitled ntc/mot for part S/J , 1st amd ntc, prop ord, jgm, memo P/A, smtm of u/w, decl of Thomas R Malcolm recvd 2/23/01 are ord to be filed & processed (mt) (Entered: 03/02/2001)
03/02/2001	<u>293</u>	Appendix of other auth by plaintiff Simple Technology, counter-defendant Simple Technology cited in suppt of plf's rply to Dense-Pac's supp opp to Simple Tech's motion in limine to exclude any test or argumnt that pla allegedly cpyd a dft product design [160-1] (rmi) (Entered: 03/07/2001)
03/02/2001	294	NOTICE re doc w/held frm case file (rmi) (Entered: 03/07/2001)
03/09/2001	<u>295</u>	Appendix of other auth by plaintiff Simple Technology, counter-defendant Simple Technology cited in suppt of plf, Simple Tech's opp to dft, Dense-Pac's motion for partial summary judgment of noninfringement under the doctrine of equivalents of claim 12 of US reissue patent #036,916 in light of Fed Circuit's Festo Decision [288-1] (rmi) (Entered: 03/13/2001)
03/09/2001	296	NOTICE re doc w/held frm case file (rmi) (Entered: 03/13/2001)
03/09/2001	297	NOTICE of doc w/held frm case file (rmi) (Entered: 03/13/2001)
03/09/2001	298	NOTICE re doc w/held frm case file (rmi) (Entered: 03/13/2001)
03/16/2001	305	NOTICE re: document withheld from case file by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys (mt) (Entered: 03/23/2001)
03/16/2001	306	NOTICE re: document withheld from case file by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys (mt) (Entered: 03/23/2001)
03/20/2001	<u>299</u>	PROPOSED SPECIAL VERDICT FORM filed by defendant Dense-Pac Microsys, counter-defendant Dense-Pac Microsys (mt) (Entered: 03/23/2001)
03/20/2001	300	PROPOSED JURY INSTRUCTIONS filed by defendant Dense-Pac Microsys, counter-defendant Dense-Pac Microsys (mt) (Entered: 03/23/2001)
03/20/2001	301	PROPOSED JURY QUESTIONNAIRE AND SPECIAL QUESTIONS REQUESTED to be put to prospective jurors on voir dire filed by plaintiff Simple Technology, counter-defendant Simple Technology (mt) (Entered: 03/23/2001)
03/20/2001	<u>302</u>	PROPOSED JURY INSTRUCTIONS filed by plaintiff Simple Technology, counter-defendant Simple Technology (mt) (Entered: 03/23/2001)
03/20/2001	303	PROPOSED VERDICT FORM filed by plaintiff Simple Technology, counter-defendant Simple Technology (mt) (Entered: 03/23/2001)
03/20/2001	<u>304</u>	PROPOSED JURY INSTRUCTIONS filed by plaintiff Simple Technology, counter-defendant Simple Technology (mt) (Entered: 03/23/2001)
03/23/2001	309	MINUTES OF MOTION HEARING by Judge Alicemarie H. Stotler: Crt indicates to cnsl that it is inclined to grant dft's motion for partial summary judgment [288-1]. Motn is taken under submission. Trial date of 3/27/01 vacated. CR: K Haaland (mt) (Entered: 03/30/2001)

03/29/2001	307	MEMO ORDER by Judge Alicemarie H. Stotler granting dft's motion for partial summary judgment [288-1] and order for entry of jgm (ENT 3/29/01) (SEND/NTC) (mt) (Entered: 03/29/2001)
03/29/2001	308	JUDGMENT AND ORDER by Judge Alicemarie H. Stotler: It is ord & adjudged that plf take nothing on its cmp, that dft take nothing on its cntclm & that dft shall as the prevailing pty, recover its costs of suit; terminating case (MD JS-6) (ENT 3/29/01) (SEND/NTC) (mt) (Entered: 03/29/2001)
03/29/2001		PLACED IN FILE - NOT USED jgm (rmi) (Entered: 04/04/2001)
03/29/2001	<del></del>	PLACED IN FILE - NOT USED prop ord gr mot for partial summ jgm (rmi) (Entered: 04/04/2001)
03/29/2001	311	STATEMENT OF UNCONTROVERED FACTS & CONCLUSIONS OF LAW/ORDER by Judge Alicemarie H. Stotler in suppt of its mot for partial summ jgm of non-infring of clm 12 of U.S. reissue patent #36,916 in light of Fed Circuit's festo decision (seal) (Entered: 04/11/2001)
04/03/2001	310	NOTICE OF APPEAL by plaintiff/ counter-defendant Simple Technology to Fed Cir from Dist. Court jgm & ord fld 3/29/01 [308-2],ord fld 3/29/01 [307-1],ord fld 2/7/01 [272-1],min ord fld 2/27/01 [271-1] (cc. Knobbe,Martens,Olson & Bear;Jones,Day,Reavis & Pogue; Riordan & McKenzie ) Fee: Billed (ghap) (Entered: 04/05/2001)
04/09/2001	312	NOTICE OF MOTION AND MOTION by plaintiff Simple Technology to vacate the award of costs to Dft Dense-Pac; motion hearing set for 10:00am on 6/4/01. Lodged propsd ord. (ts) (Entered: 04/16/2001)
04/09/2001	313	DECLARATION of Joseph F Jennings by plaintiff Simple Technology in support of motion to vacate the award of costs to Dft Dense-Pac [312-1] (ts) (Entered: 04/16/2001)
04/09/2001	314	MEMORANDUM OF PA IN SUPPORT by plaintiff Simple Technology of motion to vacate the award of costs to Dft Dense-Pac [312-1]. (ts) (Entered: 04/16/2001)
04/13/2001	315	NOTICT OF APPLICATION by defendant Dense-Pac Microsys to the clerk to tax costs (csb) (Entered: 04/17/2001)
04/13/2001	<u>316</u>	BILL OF COSTS RETURNABLE submitted by defendant Dense-Pac Microsys re [308-2] bill of cost hearing set on 11:00 5/4/01 (csb) (Entered: 04/17/2001)
04/16/2001		Appeal Fee Paid re [310-1] fee in amount of \$ 105.00. (weap) (Entered: 04/16/2001)
04/24/2001	317	NOTIFICATION by Circuit Court of Appellate Docket Number appeal [310-1] 01-1310. (fvap) (Entered: 04/25/2001)
04/24/2001	318	MEMORANDUM of PA IN SUPPORT by counter-defendant Simple Technology, plaintiff Simple Technology of plf, Simple Tech's opp to dft, Dense-Pac's bill of costs (rmi) (Entered: 04/30/2001)
04/24/2001	332	MEMORANDUM by plaintiff Simple Technology in support of plas opp to dfts Dense Pacs bill of costs [316-1] (csb) (Entered: 06/19/2001)
04/30/2001	323	Transcript purchase order for dates: 6/21/99 & 3/23/01 CR: Kathleen Haaland. (ghap) (Entered: 05/07/2001)
05/01/2001	319	SUPPL DECLARATION of Thomas R Malcolm by defendant Dense-Pac Microsys in suppt of dft, Dense-Pac Microsys Inc's appl to the clrk to tax cost [315-1] (rmi) (Entered: 05/03/2001)
05/01/2001		APPENDIX OF AUTH IN SUPPT OF REPLY MEMORANDUM by defendant Dense-Pac Microsys in support of bill of costs [316-1] (rmi) (Entered: 05/03/2001)
05/01/2001	321	DECLARATION of Ted Bruce by defendant Dense-Pac Microsys in suppt of dft, Dense-Pac Microsys Inc's appl to the clrk to tax costs [315-1] (rmi) (Entered: 05/03/2001)
05/01/2001	322	REPLY memo of PA by defendant Dense-Pac Microsys in suppt of dft, Dense

		Pack Microsys Inc's bill of costs [316-1] (rmi) (Entered: 05/03/2001)
05/11/2001	324	NOTICE OF MOTION AND MOTION by counter-claimant Dense-Pac Microsys, defendant Dense-Pac Microsys to withdraw atty; motion hearing set for 10:00 6/25/01 Lodged prop ord (rmi) (Entered: 05/17/2001)
05/14/2001	325	AMENDED NOTICE by counter-claimant Dense-Pac Microsys, defendant Dense-Pac Microsys of hearing setting hearing on motion to withdraw atty [324-1] 10:00 6/25/01 (rmi) (Entered: 05/18/2001)
05/21/2001	326	MEMO OF PA IN OPPOSITION by defendant Dense-Pac Microsys to plf, Simple Tech Inc's motion to vacate the award of costs to Dft Dense-Pac [312-1] (rmi) (Entered: 05/29/2001)
05/21/2001	327	NOTICE re doc w/held frm case file; decl of Thomas R. Malcolm in suppt of opp to plf' smot to vac crt's award of costs to dft (rmi) (Entered: 05/29/2001)
05/25/2001	328	REPLY memo of PA by counter-defendant Simple Technology, plaintiff Simple Technology in suppt of motion to vacate the award of costs to Dft Dense-Pac [312-1] (rmi) (Entered: 05/30/2001)
05/25/2001	329	NOTICE re doc w/held frm case file; suppl decl of Joseph F. Jennings (rmi) (Entered: 05/30/2001)
06/05/2001	330	ORDER by Judge Alicemarie H. Stotler denying plf's motion to vacate the award of costs to Dft Dense-Pac [312-1] (Ent 6/6/01) (rmi) (Entered: 06/06/2001)
06/05/2001		PLACED IN FILE - NOT USED prop ord (rmi) (Entered: 06/11/2001)
06/07/2001	331	STATEMENT non-opp by plaintiff Simple Technology, counter-defendant Simple Technology re motion to withdraw atty [324-1] (rmi) (Entered: 06/11/2001)
06/15/2001	334	RESUBMISSION OF APPLICATION by defendant Dense-Pac Microsys to the cirk to tax costs (rmi) (Entered: 06/19/2001)
06/18/2001	333	DECLARATION of Ted Bruce by defendant Dense-Pac Microsys in suppt of dft, Dense-Pac Microsys Inc's amend to its bill of costs (rmi) (Entered: 06/19/2001)
06/19/2001		COSTS taxed for defendant Dense-Pac Microsys in the amount of \$ 23,191.62 against plaintiff(cc: all counsel); bill of cost hearing held (csb) (Entered: 06/19/2001)
06/20/2001	335	MINUTES (In Chambers): denying movant Riordan & McKinzie's motion to withdraw atty [324-1] w/out prej & rmvs the matter frm crt's 6/25/01 hrg cal; by Judge Alicemarie H. Stotler CR: not present (rmi) (Entered: 06/21/2001)
08/22/2001	336	NOTICE OF MOTION AND MOTION by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys to withdraw as cnsl; motion hearing set for 10:00 10/22/01 Lodged prop ord (rmi) (Entered: 08/27/2001)
09/04/2001	337	STATEMENT Non-opposition by plaintiff Simple Technology, counter- defendant Simple Technology re Riordan & McKinzie's motion to withdraw as cnsl [336-1] (rmi) (Entered: 09/08/2001)
10/15/2001	339	REPLY by counter-defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys, defendant Dense-Pac Microsys in support of motion to withdraw as cnsl [336-1] (ts) (Entered: 10/22/2001)
10/16/2001	338	MINUTES (In Chambers) by Judge Alicemarie H. Stotler: Ruling granting movant Riordan & McKinzie'smotion to withdraw as cnsl [336-1] (see doc for specifics) CR: Not Present (psend) (mt) (Entered: 10/18/2001)
10/16/2001	340	ORDER by Judge Alicemarie H. Stotler granting Riordan & McKinzie's motion to withdraw as cnsl [336-1] (rmi) (Entered: 10/26/2001)
11/02/2001		WRIT of execution Issued (rmi) (Entered: 11/07/2001)
11/02/2001	<u>341</u>	AFFIDAVIT AND REQUEST filed by defendant Dense-Pac Microsys, counterclaimant Dense-Pac Microsys for issuance of writ of execution (rmi) (Entered:

11/17/2001
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- 03/11/2002 LODGED CC Order from Fed C/A appeal is affirmed. (FWD TO CRD) (01-1310) (fvap) (Entered: 03/15/2002)
- 03/20/2002 342 MINUTES OF FILING & SPREADING MANDATE (IN CHAMBERS) by Judge Alicemarie H. Stotler: The Crt Ords that the mandate of the US Crt of Appeals for the Federal Circ affirming the appeal is hereby fld & spread upon the minutes of this USDC; CR: (not present) (mg) (Entered: 03/26/2002)
- 343 CERTIFIED COPY of judgment from US Crt of Appeals for the Fed Circ 03/20/2002 affirming the decision of the US District Court [310-1] (mg) (Entered: 03/26/2002)
- 344 MINUTES (In Chambers): the crt ord that the mandate of the U.S. crt of 04/04/2002 appeals for the fed circuit: affirming the record reflects that costs of the prevail pty were taxed by the U.S. crt of appeals for the fed circuite in the amt of \$480,00 is hereby filed & spread upon the minutes of this USDC; by Judge Alicemarie H. Stotler CR: not present (rmi) (Entered: 04/08/2002)
- 345 CERTIFIED COPY of judgment from USCA affirming the the jgm on appeal 04/04/2002 (rmi) (Entered: 04/08/2002)
- 346 NOTICE OF MOTION AND MOTION by defendant & counter-claimant Dense-09/03/2002 Pac Microsys to modify amended protective order to allow for use of docs & info in 2nd patent infringement action between the same parties; motion hearing set for 10:00 10/21/02 (mt) (Entered: 09/06/2002)
- 347 JOINT STIPULATION filed in connection with Dense-Pac Microsystems Inc's 09/03/2002 motion to modify amended protective order to allow for use of docs & info in 2nd patent infringement action between the same parties [346-1] (mt) (Entered: 09/06/2002)
- 348 NOTICE OF WITHDRAWAL by defendant & counter-claimant Dense-Pac 09/16/2002 Microsys withdrawing motion to modify amended protective order to allow for use of docs & info in 2nd patent infringement action between the same parties [346-1] (mt) (Entered: 09/19/2002)
- PLACED IN FILE NOT USED lodged 2nd amended [proposed] ord for 10/18/2002 protection of confidential and proprietary info (mt) (Entered: 10/21/2002)
- 03/25/2003 LODGED Certified Copy of Federal Circuit judgment; appeal from USDC for Central District of California having been heard and considered is ordered vacated and remanded. (01-1310) (fvap) (Entered: 03/25/2003)
- 03/25/2003 LODGED CC Fed.Circuit CCA JUDGMENT is vacated and remanded. (FWD TO CRD)(01-1310) (ghap) (Entered: 03/28/2003)
- 03/28/2003 349 MINUTES of filing and spreading mandate (In Chambers) by Judge Alicemarie H. Stotler: Court orders that the mandate of the Court of Appeals for the Federal Circuit: vacating and remanding the appeal is hereby filed and spread upon the minutes of this US District Court; Case reopened (MD JS-5); It is ordered that this case be placed on calendar for a status conference on 4/28/03 at 2:00pm. Further ordered that counsel file a joint status report at least 10 days before the date of the status conference. Filing directly in Southern Division is required; (see document for further specifics) CR: Not Present (mt) (Entered: 03/31/2003)
- 03/28/2003 350 CERTIFIED COPY of judgment from USCA: This cause having been heard and considered, it is ordered and adjudged: Vacated and remanded (mt) (Entered: 03/31/2003)
- 04/18/2003 351 NOTICE OF MOTION AND MOTION by defendant Dense-Pac Microsys to enforce agreement to dismiss; motion hearing set for 10:00 5/19/03; Lodged proposed order (mt) (Entered: 04/21/2003)
- 352 JOINT STATUS REPORT (mt) (Entered: 04/21/2003) 04/18/2003
- 04/28/2003 353 MINUTES status conference re: Federal Circuit Mandate held by Judge Alicemarie H. Stotler: In light of the Federal Circuit's remand, the Court orders

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06/30/2003

06/30/2003

07/08/2003

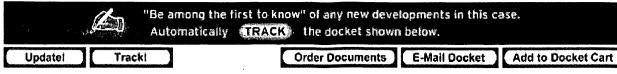
	that defendant file its motion for summary judgment regarding applicability of Festo II, and applicability of prior proceedings, no later than 6/30/03; and that defendant shall schedule a hearing date which permits two weeks for plaintiff to file its opposition, two weeks for defendant to file its reply, and two weeks for plaintiff to file its sur-reply. Court further orders a further scheduling conference to be held on 5/19/03, in conjunction with defendant's pending motion to dismiss and at which time the Court will also address repayment of costs. CR: Kathleen Haaland (mt) (Entered: 04/30/2003)
35	OPPOSITION by plaintiff Simple Technology to defendant Dense-Pac Microsystems Inc's motion to enforce agreement to dismiss [351-1] (mt) (Entered: 05/07/2003)
35	DECLARATION of Joseph R Re by plaintiff Simple Technology in support of plaintiff's opposition to defendant's motion to enforce agreement to dismiss [351-1] (mt) (Entered: 05/07/2003)
35	DECLARATION of Manouch Moshayedi by plaintiff Simple Technology in support plaintiff's opposition to defendant's motion to enforce agreement to dismiss [351-1] (mt) (Entered: 05/07/2003)
35	NOTICE OF MOTION AND MOTION by of Joanne S Redmann to withdraw as counsel of record for Dense-Pac Microsystems Inc; declaration of Joanne S Redmann in support thereof; motion hearing set for 10:00 6/9/03; Lodged proposed order (mt) (Entered: 05/13/2003)
35	REPLY by defendant Dense-Pac Microsys in support of motion to enforce agreement to dismiss [351-1] (mt) (Entered: 05/14/2003)
35	DECLARATION of Lester J Savit by defendant Dense-Pac Microsys in support of defendant Dense-Pac Microsystems Inc's reply in support of motion to enforce agreement to dismiss [351-1] (mt) (Entered: 05/14/2003)
36	MINUTES: cause called; hearing held; counsel argue; defendant's motion to enforce agreement to dismiss [351-1] is DENIED; Court grants plaintiff's request for return of costs, paid no later than 05/29/03; if not, plaintiff shall submit proposed Order; Counsel shall meet & confer regarding additional proposed discovery; Court sets Pretrial Conference for 2:00 10/20/03; date for jury trial of 1/13/04; by Judge Alicemarie H. Stotler CR: Kathleen Haaland (In) (Entered: 05/20/2003)
36	DENIED BY ORDER of Judge Alicemarie H. Stotler: [Proposed] Order Dismissing Action Without Prejudice lodged 04/18/03 (In) (Entered: 05/23/2003)
36	ORDER by Judge Alicemarie H. Stotler, granting motion to withdraw as counsel of record for defendant, counter defendant and counter claimant Dense-Pac Microsystems Inc [357-1] by attorney JoAnne S Redmann. JoAnne S. Redmann is hereby dismissed as counsel for the parties. (twdb) (Entered: 06/04/2003)
36	NOTICE OF MOTION AND MOTION by defendant Dense-Pac Microsys for summary judgment of non-infringement of claim 12 on remand; motion hearing set for 10:00 8/25/03 Lodged proposed order, state of uncontroverted facts, conclusions of law (pj) (Entered: 07/01/2003)
36	MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT by defendant Dense-Pac Microsys of motion for summary judgment of non-infringement of claim 12 on remand [363-1] (pj) (Entered: 07/01/2003)
36	DECLARATION of LESTER J SAVIT IN SUPPORT by defendant Dense-Pac Microsys re motion for summary judgment of non-infringement of claim 12 on remand [363-1] (pj) (Entered: 07/01/2003)

366 NOTICE OF NAME CHANGE AND REQUEST TO CLERK THAT CAPTION BE CHANGED TO REFLECT DEFENDANTS NEW NAME: Name is now DPAc Techologies Corp by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys, counter-defendant Dense-Pac Microsys (pj) (Entered:

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- 07/14/2003 367 APPLICATION filed by plaintiff Simple Technology, counter-claimant Simple Technology, counter-defendant Simple Technology to file under seal confidential exhibits to the declaration of Joseph F Jennings in support of its opposition to dense-pac, Miscrosystems moiton for summary judgment of noninfringement of claim 12 on remand (yc) (Entered: 07/16/2003) 07/14/2003 368 DECLARATION of Joseph F Jennings by plaintiff Simple Technology in support of opposition to dense-pac microsystems motion for summary judgment of non-infringement of claim 12 on remand [363-1] (yc) (Entered: 07/16/2003)
- 07/14/2003 369 DECLARATION of John A Reed by plaintiff Simple Technology in support of motion for summary judgment of non-infringement of claim 12 on remand [363-1] (yc) (Entered: 07/16/2003)
- 07/14/2003 370 OPPOSITION by plaintiff Simple Technology to motion for summary judgment of non-infringement of claim 12 on remand [363-1] (yc) (Entered: 07/16/2003)
- 371 Statement of genuine issues by plaintiff Simple Technology in support of its 07/14/2003 oppositon to motion for summary judgment of non-infringement of 12 on remand [363-1] (yc) (Entered: 07/16/2003)
- 374 ORDER by Judge Alicemarie H. Stotler granting application to file under seal 07/16/2003 confidential exhibits to the declaration of Joseph F Jennings in support of its opposition to dense-pac, Miscrosystems moiton for summary judgment of noninfringement of claim 12 on remand [367-1] The following exhibits be filed under seal: Exhibit 16 and Exhibit 27 (yc) (Entered: 07/17/2003)
- 378 NOTICE OF ITS NEW CORPORATE NAME AND APPLICATION filed by 07/21/2003 plaintiff SimpleTech Inc, counter-claimant SimpleTech Inc, counter-defendant SimpleTech Inc for change of case caption (pj) (Entered: 07/29/2003)
- 375 ORDER: Plaintiff and Counter defendant Simple Technology Inc's application 07/22/2003 the caption in the action is hereby changed to reflect Simple Technology Inc's new corporate name of SimpleTech Inc by Judge Alicemarie H. Stotler (pj) (Entered: 07/25/2003)
- 376 SECOND DECLARATION of LESTER J SAVIT IN SUPPORT REPLY IN 07/28/2003 SUPPORT by defendant Dense-Pac Microsys re-motion for summary judgment of non-infringement of claim 12 on remand [363-1] (pj) (Entered: 07/28/2003)
- 07/28/2003 377 ORDER by Judge Alicemarie H. Stotler Defendant's notice of name change and regeust to clerk that caption be changed to reflect defendants new name: DPAC Technologies Corp [366-1] (pj) (Entered: 07/29/2003)
- 07/28/2003 379 REPLY by defendant to response to motion for summary judgment of noninfringement of claim 12 on remand [363-1] (csb) (Entered: 07/30/2003)
- 380 SUPPLEMENTAL DECLARATION of JOSEPH F. JENNINGS by plaintiff, 08/11/2003 counter-defendant SimpleTech Inc in support of Simpletech Inc's opposition to DPAC Mircrosystems Inc's motion for summary judgment of non-infringement of claim 12 on remand [363-1] (jp) (Entered: 08/19/2003)
- 381 APPENDIX OF AUTHORITY CITED by plaintiff, counter-defendant 08/11/2003 SimpleTech Inc in support of Simpletech's surreply to DPAC's motion for summary judgment of non-infringement of claim 12 on remand [363-1] (jp) (Entered: 08/19/2003)
- 08/11/2003 382 SURREPLY by plaintiff, counter-defendant SimpleTech Inc in support of its opposition to DPAC's motion for summary judgment of non-infringement of claim 12 on remand [363-1] (jp) (Entered: 08/19/2003)
- 383 MINUTES OF MOTION HEARING held by Judge Alicemarie H. Stotler: 08/25/2003 granting defendant's motion for summary judgment of non-infringement of claim 12 on remand [363-1]. Defendant is granted leave to prepare, lodge and serve no later than 9/2/03, an amended statement of uncontroverted facts and conclusions of law, and a proposed final judgment. Plaintiff shall prepare, file

View Current Charges	<b>⊘</b> Pri	cing Cases H Docket
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03/22/2004	392	MANDATE of 9th CCA filed as to Appeal to Circuit Court, [388], CCA # 04-1034. The appeal is dismissed. Mandate received in this district on 3/30/04. (weap, ) (Entered: 04/02/2004)
11/20/2003	=	COSTS taxed for DPAC Technologies Corp in the amount of \$23,191.62 against SimpleTech Inc; bill of cost hearing held (mt) (Entered: 11/26/2003)
10/30/2003	390	NOTIFICATION by Federal Circuit Court of Appellate Docket Number appeal [388-1] 04-1034. (fvap) (Entered: 10/30/2003)
10/22/2003	389	TRANSCRIPT PURCHASE ORDER. (pjap) (Entered: 10/23/2003)
10/08/2003	388	NOTICE OF APPEAL by plaintiff SimpleTech Inc, counter-defendant SimpleTech Inc, to Federal Circuit from Dist. Court judgment filed 09/15/03 [387-2]; order filed 09/15/03 [386-1]. (cc: Joseph S. Cianfrani, Knobbe, Martens, Olson & Bear, LLP; Jones Day, Irvine, CA; Jones Day, Cleveland, OH) Fee: Paid (wdc) (Entered: 10/08/2003)
09/30/2003		NOTICE OF APPLICATION AND APPLICATION TO THE CLERK TO RE-TAX COSTS FOLLOWING ENTRY OF JUDGMENT AFTER REMAND/BILL OF COSTS RETURNABLE submitted by counter-defendant DPAC Technologies re [387-2]; bill of cost hearing set on 11:00 10/17/03 (mt) (Entered: 11/26/2003)
09/15/2003		JUDGMENT AFTER REMAND AND ORDER by Judge Alicemarie H. Stotler: It is ordered and adjudged that plaintiff take nothing on its complaint, that defendant take nothing on its counter-claim, and that defendant shall, as the prevailing party, recover its costs of suit; terminating case (MD JS-6) (mt) (Entered: 09/16/2003)
09/15/2003	386	DEFENDANT DPAC TECHNOLOGIES CORP'S AMENDED STATEMENT of uncontroverted facts and conclusions of law in support of its motion for summary judgment of non-infringement of claim 12 on remand and ORDER by Judge Alicemarie H. Stotler (mt) (Entered: 09/16/2003)
09/09/2003	385	RESPONSE by SimpleTech Inc to DPAC's amended [proposed] statement of uncontroverted facts and conclusions of law in support of its motion for summary judgment of non-infringement of claim 12 on remand (mt) (Entered: 09/16/2003)
09/03/2003	Ξ	TRANSCRIPT filed for proceedings held on 8/25/03 (dlu) (Entered: 09/05/2003)
09/03/2003	384	RECEIPT OF TRANSCRIPT of proceedings for the following date(s): 8/25/03 CR: William Stephens (dlu) (Entered: 09/05/2003)
		and serve a statement of genuine issues no later than 9/9/03. CR: William S Stephens (mt) (Entered: 08/27/2003)



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To view the patents at issue in this case, click here. (No charge!)

## **US District Court Civil Docket**

## **US District Court for the Central District of California** (Southern Division)

## 8:01cv231

## Simple Technology v. Dense-Pac Microsys

This case was retrieved from the court on Wednesday, January 5, 2005

Date Filed: 02/21/2001

Assigned To: Judge Alicemarie H Stotler

Referred To: Discovery Marc L Goldman

Nature of suit: Patent (830)

**Cause: Patent Infringement** 

**Lead Docket: None** Other Docket: None

Jurisdiction: Federal Question

Class Code: (MLGx),

CLOSED

Closed: Yes Statute: 35:0271

Jury Demand: Both

Demand Amount: \$0

### Litigants

Simple Technology Inc A California Corporation **PLAINTIFF** 

## **Attorneys**

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Joseph R Re [COR LD NTC] Knobbe Martens Olson & Bear 2040 Main St, 14TH FL

Irvine, CA 92614 USA 949-760-0404

Dense-Pac Microsystems Inc A California Corporation DEFENDANT

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Richard J Grabowski [COR LD NTC] Jones Day 3 Park Plz, Ste 1100 Irvine, CA 92614-6232 USA 949-851-3939 Fax: 949-553-7539

Thomas R Malcolm [COR LD NTC] Jones Day 3 Park Plz, Ste 1100 Irvine, CA 92614-6232 USA 949-851-3939 Fax: 949-553-7539

Dense-Pac Microsystems Inc Counter **CLAIMANT** 

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Thomas R Malcolm [COR LD NTC] Jones Day 3 Park Plz, Ste 1100 Irvine, CA 92614-6232 USA 949-851-3939 Fax: 949-553-7539

Kenneth R Adamo [COR LD NTC] Jones Day North Point 901 Lakeside Ave Cleveland, OH 44114-1190 USA

216-586-3939

Simple Technology Inc Counter

Joseph S Cianfrani

### **DEFENDANT**

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Joseph F Jennings [COR LD NTC] Knobbe Martens Olson & Bear 2040 Main St, 14TH FL Irvine, CA 92614 USA 949-760-0404

Joseph R Re [COR LD NTC] Knobbe Martens Olson & Bear 2040 Main St, 14TH FL Irvine, CA 92614 USA 949-760-0404

Date	#	Proceeding Text
02/21/2001	1	COMPLAINT filed Summons(es) issued referred to Discovery Arthur Nakazato (mt) (Entered: 02/27/2001)
02/21/2001	2	NOTICE OF INTERESTED PARTIES filed by plaintiff Simple Technology (mt) (Entered: 02/27/2001)
02/21/2001	3	NOTICE by plaintiff Simple Technology of related case(s) SACV98-822 AHS (EEx) (mt) (Entered: 02/27/2001)
02/21/2001	=	REPORT ON THE FILING OF AN ACTION REGARDING PATENTS (cc: form mailed to Washington, D.C.) (Opening) (mt) (Entered: 02/27/2001)
03/02/2001	4	RETURN OF SUMMONS and proof of service executed upon defendant Dense-Pac Microsys on 2/22/01 by personal delivery, rcvd by Anabel Alcarez (secretary to atty of record Nicholas Yocca) (rmi) (Entered: 03/07/2001)
03/09/2001	<u>6</u>	EX PARTE APPLICATION filed by defendant Dense-Pac Microsys to extend time to answer or otherwise resp to plf's complaint [1-1], as to defendant Dense-Pac Microsys; memo of PA in suppt thereof; Lodged ord (rmi) (Entered: 03/14/2001)
03/09/2001	7	DECLARATION of Thomas R. Malcolm by defendant Dense-Pac Microsys in suppt of dft's exparte motion to extend time to answer or otherwise resp to plf's complaint [1-1], as to defendant Dense-Pac Microsys [6-1] (rmi) (Entered: 03/14/2001)
03/12/2001	<u>5</u>	ORDER RE TRANSFER PURSUANT TO GENERAL ORDER 224 (Related Case) filed. [Related Case no.: SACV 98-822AHS(EEx)] Case referred from Discovery Arthur Nakazato to Discovery Elgin Edwards. The case number will now reflect the initials of the transferee Judge [SACV01-231AHS(EEx)] (cc: all counsel) (csb) (Entered: 03/12/2001)
03/12/2001	<u>10</u>	MEMO OF PA IN OPPOSITION by plaintiff Simple Technology to exparte motion to extend time to answer or otherwise resp to plf's complaint [1-1], as to defendant Dense-Pac Microsys [6-1] (seal) (Entered: 03/15/2001)
03/12/2001	11	DECLARATION of Joseph F. Jennings by plaintiff Simple Technology in suppt of plf's opp to dft's exparte motion to extend time to answer or otherwise resp to plf's complaint [1-1], as to defendant Dense-Pac Microsys [6-1] (seal) (Entered: 03/15/2001)

03/12/2001	<u>12</u>	ORDER by Judge Alicemarie H. Stotler denying exparte motion to extend time to answer or otherwise resp to plf's complaint [1-1], as to defendant Dense-Pac Microsys [6-1] (seal) (Entered: 03/15/2001)
03/13/2001	8	NOTICE of ruling denying dft Dense-Pac Microsystems Inc's ex parte appl to ext time to ans or otherwise resp to plf's cmp by defendant Dense-Pac Microsys (mt) (Entered: 03/15/2001)
03/13/2001	9	ANSWER filed by defendant Dense-Pac Microsys to complaint [1-1]; jury demand (mt) (Entered: 03/15/2001)
03/13/2001	9	COUNTERCLAIM by defendant Dense-Pac Microsys against plaintiff Simple Technology; jury demand; summons not issued (kh) (Entered: 04/02/2001)
03/28/2001	<u>13</u>	ORDER by Judge Alicemarie H. Stotler setting scheduling conference for 1:30pm on 7/16/01 (see doc for specifics) (SEND) (mt) (Entered: 03/30/2001)
03/30/2001	14	REPLY TO COUNTERCLAIM [9-1] by counter-defendant Simple Technology (kh) (Entered: 04/02/2001)
04/27/2001	<u>15</u>	MINUTES: IN CHAMBERS: Scheduling conference is cont to 1:30 7/23/01; by Judge Alicemarie H. Stotler; CR: Not Present (ad) (Entered: 04/27/2001)
07/13/2001	16	NOTICE by plaintiff Simple Technology of corp name change (rmi) (Entered: 07/17/2001)
07/16/2001	<u>17</u>	JOINT REPORT OF EARLY MEETING OF COUNSEL filed. Estimated length of trial 10 days (mt) (Entered: 07/19/2001)
07/23/2001	18	MINUTES: scheduling conference held, discovery ddl set on 2/19/02; plf's expert wit rpt 2/28/02; dft's expert wit rpt 3/18/02; rebuttal rpts 3/29/02; expert wit discov cutoff 4/22/02; motion filing ddl set on 5/1/02; pretrial conference on 2:00 8/5/02; jury trial on 9:00 10/22/02 for an estimated 10 days; final time allowed for trial will be determ at PTC; crt ord dft, Dense-Pac to show cause why the crt shld not dism the state law clms; dft's written resp is due 8/6/01; plf's resp is due 8/13/01; dft's rply is due 8/20/01 & no oral arg; by Judge Alicemarie H. Stotler CR: Kathy Haaland (rmi) (Entered: 08/01/2001)
08/06/2001	<u>19</u>	MEMORANDUM OF P&A by defendant Dense-Pac Microsys, counter- claimant Dense-Pac Microsys in support of the crt's exercise of suppl juris over state law cntclms [18-4] (mt) (Entered: 08/15/2001)
08/10/2001	22	APPLICATION AND ORDER of Non-Resident Attorney to Appear in a Specific Case filed for defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys by Kenneth R Adamo. Designating Thomas R. Malcolm as local counsel. Approved by Judge Alicemarie H. Stotler . (Fee pd) (rmi) (Entered: 08/21/2001)
08/13/2001	<u>20</u>	MEMORANDUM of PA by plaintiff Simple Technology, counter-defendant Simple Technology in support of the dism of Dense-Pac's state law cntclms for lack of suppl juris (rmi) (Entered: 08/20/2001)
08/13/2001	<u>21</u>	DECLARATION of Joseph S. Cianfrani by plaintiff Simple Technology, counter-defendant Simple Technology in suppt of plf/ctndft, Simple Tech Inc's memo of PA in suppt of the dism of Dense-Pac's state law ctnclms for lack of suppl juris (rmi) (Entered: 08/20/2001)
08/20/2001	<u>23</u>	REPLY by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys in suppt of the crt's exercise of suppl juris over state law cntclms (rmi) (Entered: 08/24/2001)
11/08/2001	24	STIPULATION and ORDER by Judge Alicemarie H. Stotler that this case is stayed until the Crt of Appeals for the Federal Circuit renders a decision in the appeal of SACV 98-822 AHS (EEx); The sched given to the ptys at 7/23/01 scheduling conf is vacated; The ptys will file a joint status rpt NLT 4/15/02. Crt stays ruling on its 7/23/01 OSC why suppl claims of cntclm should not be dism; terminating case (MD JS-6) (send) (mt) (Entered: 11/14/2001)
04/12/2002	<u>25</u>	JOINT STATUS REPORT by plaintiff Simple Technology, defendant Dense-

		Pac Microsys (rmi) (Entered: 04/18/2002)
05/20/2002	<u>26</u>	ORDER by Judge Alicemarie H. Stotler amending scheduling order of 7/23/01: New dates: Discovery cut-off: 10/28/02; Pretrial Conference: 4/7/03 at 2:00pm; Jury trial: 6/3/03 at 9:00am (mt) (Entered: 05/21/2002)
05/20/2002	<u>27</u>	MINUTES (In Chambers): purs to the stip of theptys to await the decision of the crt of appeals for the fed circuit in case #98-822; the appellate crt having issued its decision, stay of rcdgs ent 11/8/01 is hereby vacated [24-2]; Case reopened (MD JS-5); having rcvd, read & consid the ptys' submissions, the crt discharges the OSC issued on 7/23/01 [18-3]; (Ent 5/21/02); by Judge Alicemarie H. Stotler CR: not present (rmi) (Entered: 05/21/2002)
06/04/2002	28	NOTICE OF MOTION AND MOTION by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys for ent of protective order govern the exchange of confidential & proprietary info; motion hearing set for 10:00 7/2/02 (rmi) (Entered: 06/05/2002)
06/04/2002	<u>29</u>	JOINT STIPULATION filed in connectino w/Dense-Pac Micro Sys Inc's motion for ent of protective order govern the exchange of confidential & proprietary [28-1] (rmi) (Entered: 06/05/2002)
06/25/2002	<u>30</u>	NOTICE OF MOTION AND MOTION by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys to compel discov resp & prod of docs; motion hearing set for 10:00 7/30/02 (rmi) (Entered: 06/26/2002)
06/25/2002	<u>31</u>	DECLARATION of Mark Moshayedi by plaintiff Simple Technology in suppt of plf's opp to dft's motion to compel discov resp & prod of docs [30-1] (rmi) (Entered: 06/26/2002)
06/25/2002	<u>32</u>	JOINT STIPULATION filed in connection w/Dense-Pac Microsystems Inc's motion to compel discov resp & prod of docs [30-1] (rmi) (Entered: 06/26/2002)
06/25/2002	<u>33</u>	DECLARATION of Joseph F. Jennings by plaintiff Simple Technology in suppt of plf's opp to dft's motion to compel discov resp & prod of docs [30-1] (rmi) (Entered: 06/26/2002)
07/02/2002	<u>34</u>	MINUTES by Discovery Marc L. Goldman: Granting Dft's motion for ent of protective order govern the exchange of confidential & proprietary info [28-1]; CR: Tape No. SA-184 (mg) (Entered: 07/03/2002)
07/02/2002	<u>35</u>	ORDER by Discovery Marc L. Goldman re protective order (see doc for fur details) (mg) (Entered: 07/03/2002)
07/16/2002	<u>36</u>	SUPPLEMENTAL MEMORANDUM OF LAW IN SUPPORT by defendant Dense-Pac Microsys of motion to compel discov resp & prod of docs [30-1] (mg) (Entered: 07/18/2002)
07/16/2002	<u>37</u>	DECLARATION of Michael Woodrow De Vries by defendant Dense-Pac Microsys in suppt of memo of law in suppt of Dense-Pac Microsystems Inc's motion to compel discov resp & prod of docs [30-1] (mg) (Entered: 07/18/2002)
07/19/2002	<u>38</u>	NOTICE OF MOTION AND MOTION by plaintiff Simple Technology, counter-defendant Simple Technology to compel discov responses and production of docs; motion hearing set for 10:00 8/13/02 (mt) Modified on 07/22/2002 (Entered: 07/22/2002)
07/19/2002	<u>39</u>	JOINT STIPULATION filed in connection with Simple Technology's motion to compel discov responses [38-1] and production of docs [38-2] (mt) (Entered: 07/22/2002)
07/30/2002	<u>40</u>	NOTICE of reassignment of case due to unavail of judicial officer; purs to directive of the Chief U.S. Dist Judge/Magistrate Judge & in accordance w/the rules of this crt, this case has been reassigned to Hon. Marc L. Goldman, Magistrate Judge for any discov matters that may be ref; pls subst the initials so new case # will reas SACV01-231AHS (MLGx) (rmi) (Entered: 07/30/2002)

08/08/2002	<u>43</u>	NOTICE OF CHANGE Of attorney info filed by atty Joseph R Re for counter-defendant Simple Technology (mt) (Entered: 08/13/2002)
08/08/2002	44	NOTICE OF CHANGE Of attorney info filed by atty Joseph S Cianfrani for counter-defendant Simple Technology (mt) (Entered: 08/13/2002)
08/08/2002	<u>45</u>	NOTICE OF CHANGE Of attorney info filed by atty Joseph F Jennings for counter-defendant Simple Technology (mt) (Entered: 08/13/2002)
08/09/2002	41	NOTICE AND REQUEST Of Settlement Procedure Selection fld Parties request to apr bef a randomly selected judicial officer frm the Civil Settlement Panel for sttlmnt proceduse Order by Judge Alicemarie H. Stotler denying settlement procedure selection request [41-1]; Further ordering that sttlmt procedure shall be #3 (mt) (Entered: 08/13/2002)
08/12/2002	<u>42</u>	MINUTES (In Chambers) by Discovery Marc L. Goldman: Dft's motion to compel discov [30-1] and plf's motion to compel discov responses [38-1]. Upon notification from both cnsl, the crt hereby ord the above-referenced mots off-cal as the ptys have resolved both mots prior to the sched hrg date of 8/13/02. CR: n/a (mt) (Entered: 08/13/2002)
.09/09/2002	<u>46</u>	STIPULATED DISMISSAL PURSUANT TO FED R CIV P 41(a)(1): Ptys stip to dism of this actn in its entirety w/out prejudice. Each pty shall bear its own costs & attys' fees; terminating case (MD JS-6) (mt) (Entered: 09/12/2002)

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## **US District Court Civil Docket**

## US District Court for the Central District of California (Southern Division)

## 8:03cv1188

## Simpletech Inc v. Staktek Corp

This case was retrieved from the court on Wednesday, January 5, 2005

Date Filed: 07/29/2003

Assigned To: Judge Alicemarie H Stotler Referred To: Discovery Marc L Goldman

Nature of suit: Patent (830)

**Cause: Patent Infringement** 

**Lead Docket: None** Other Docket: None

**Jurisdiction: Federal Question** 

Class Code: (MLGx), AO279,

**CLOSED** 

Closed: Yes Statute: 35:0271

Jury

Demand: Both

Demand Amount: \$0

## Litigants

Simpletech Inc A California Corporation PLAINTIFF

## **Attorneys**

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### 949-760-0404

Staktek Corp Counter **CLAIMANT** [Term: 01/20/2004]

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Joseph F Jennings [COR LD NTC] Knobbe Martens Olson & Bear 2040 Main St, 14TH FL Irvine, CA 92614 **USA** 949-760-0404

Date	#	Proceeding Text
07/29/2003	1	COMPLAINT filed Summons(es) issued referred to Discovery Arthur Nakazato (csb) (Entered: 08/01/2003)
07/29/2003	2	Certification OF INTERESTED PARTIES filed by plaintiff Simpletech Inc (csb) (Entered: 08/01/2003)
07/29/2003	<u>3</u>	NOTICE by plaintiff Simpletech Inc of related case(s) SACV 98-822AHS (EEx) (csb) (Entered: 08/01/2003)

07/29/2003	=	REPORT ON THE FILING OF AN ACTION REGARDING Patent (cc: form mailed to Washington, D.C.)(Opening) (csb) (Entered: 08/01/2003)
08/05/2003	=	PREPARED ORDER RE TRANSFER Pursuant to General Order 224 (Related Case) by Clerk; related to SACV 98-822AHS(EEx) (csb) (Entered: 08/06/2003)
08/11/2003	4	ORDER RE TRANSFER PURSUANT TO GENERAL ORDER 224 (Related Case) filed. [ Related Case no.: SACV 98-822AHS(EEx)] Case referred from Discovery Arthur Nakazato to Discovery Marc L. Goldman The case number will now reflect the initials of the transferee Judge [ SACV 03-1188AHS (MLGx)] (cc: all counsel) (csb) (Entered: 08/11/2003)
08/26/2003	5	RETURN OF SUMMONS AND PROOF OF SERVICE executed upon defendant Staktek, US; Service by State statute on no date via substituted by serving summons and complaint to James W. Cady, President and CEO of Staktek, US, (twdb) (Entered: 08/27/2003)
08/27/2003	<u>6</u>	ANSWER filed by defendant Staktek Corp to complaint [1-1]; jury demand (twdb) (Entered: 08/28/2003)
08/27/2003	<u>6</u>	COUNTERCLAIM by defendant Staktek Corp against plaintiff Simpletech Inc; jury demand (twdb) (Entered: 08/28/2003)
08/27/2003	<u>7</u>	NOTICE OF INTERESTED PARTIES filed by defendant Staktek Corp (twdb) (Entered: 08/28/2003)
08/27/2003	8	ORDER striking filed documents from the record by Judge Alicemarie H. Stotler. It is hereby ordered that the documents shall be stricken from the record and shall not be considered by the court: striking notice of interested parties [7-1], striking counterclaim for declaratory judgment; demand for jury trial [6-1], striking answer; demand for jury trial [6-1]. Further Ordered that the documents shall not be returned to the filing party; however, the clerk shall note on the case docket that the documents are stricken from the record. (twdb) (Entered: 08/28/2003)
08/27/2003	9	APPLICATION AND ORDER of Non-Resident Attorney to Appear in a Specific Case filed for defendant Staktek Corp, counter-claimant Staktek Corp by J. Scott Denko. Designating Benjamin A. Nix as local counsel. Approved by Judge Alicemarie H. Stotler. (Fee pd) (twdb) (Entered: 08/28/2003)
09/02/2003	<u>10</u>	ORDER setting scheduling conference by Judge Alicemarie H. Stotler. It is further ordered that all counsel and partis appearing pro se must be familiar with the FRCP and LR of the Central District of California. Scheduling conf set for 1:30 11/24/03 (twdb) (Entered: 09/03/2003)
09/02/2003	<u>11</u>	ORIGINAL ANSWER to complaint for patent infringement [1-1] and ORIGINAL COUNTERCLAIM for declaratory judgment by defendant Staktek Corp against plaintiff Simpletech Inc; jury demand; summons not issued (twdb) (Entered: 09/03/2003)
09/02/2003	<u>12</u>	NOTICE OF INTERESTED PARTIES filed by defendant Staktek Corp (twdb) (Entered: 09/03/2003)
09/22/2003	<u>13</u>	REPLY TO ORIGINAL COUNTERCLAIM FOR DECLARATORY JUDGMENT [11-2] by counter-defendant Simpletech Inc (twdb) (Entered: 09/30/2003)
11/12/2003	<u>14</u>	NOTICE of appearance of Jones Day as co counsel by defendant Staktek Corp (twdb) (Entered: 11/20/2003)
11/17/2003	<u>15</u>	JOINT RULE 26 DISCOVERY PLAN filed; est length of trial 6 - 10 trial days (csb) (Entered: 11/21/2003)
11/24/2003	<u>16</u>	MINUTES: Cause called. Hearing held. Settlement procedure no. 1 selected by the parties is no longer available. Parties shall meet and confer to select another option pursuant to local rule 16-14.4. Court approves propounding thirty interrogatories; otherwise, parties are to guided by the FRCP unless further ordered by the court. The court sets the following case management

		dates: Discovery ddl set on 9/10/04; summary judgment cutoff set on 12/6/04; pretrial Conference set for 2:00 4/4/05; jury trial set on 9:00 5/17/05; scheduling conference held. Trial estimate 6-10 days. Court's order for jury trial issued to respective counsel appearing in court, and attached hereto; by Judge Alicemarie H. Stotler, CR: Walter Ledge (twdb) (Entered: 12/03/2003)
12/09/2003	<u>17</u>	NOTICE AND REQUEST Of Settlement Procedure Selection fld Parties request to apr bef an atty selected by the Attorney Settlement Officer Panel or apptd by the Judge for sttlmnt proceds Order by Judge Alicemarie H. Stotler granting settlement procedure selection request [17-1] (twdb) (Entered: 12/10/2003)
12/16/2003	<u>18</u>	STIPULATION and ORDER for protection of confidential and proprietary information produced or disclosed by the parties or third party Staktek Group L.P. by Discovery Marc L. Goldman (twdb) (Entered: 12/17/2003)
12/23/2003	<u>19</u>	RECEIPT OF TRANSCRIPT of proceedings for the following date(s): 11/24/03 (Re: ) CR: W. R. Ledge (pjap) (Entered: 12/30/2003)
12/23/2003	<del></del>	TRANSCRIPT filed for proceedings held on 11/24/03 (pjap) (Entered: 12/30/2003)
01/20/2004	<u>20</u>	STIPULATION AND ORDER dropping and dismissing without prejudice defendant Staktek Corp., adding Staktek Group, L.P. as defendant and Granting plaintiff leave to file a first amended complaint by Judge Alicemarie H. Stotler: It is stipulated that defendant Staktek Corporation shall be dropped from this action and be dismissed from this action without prejudice. The counterclaims of defendant Staktek Corporation shall be dismissed from this action without prejudice; SimpleTech shall be granted leave to file the first amended complaint for patent infringement, which is lodged herewith; and the first amended complaint for patent infringement shall be deemed filed and served on the date that the following ORDER is granted by the court; and Staktek Group, L.P. shall have 20 days from the date that the following ORDER is granted by the court to answer the first amended complaint for patent infringement.(twdb, ) (Entered: 01/22/2004)
01/20/2004	<u>21</u>	FIRST AMENDED COMPLAINT against defendant Staktek Group L.P. amending Complaint (Discovery)[1]; jury demand,filed by plaintiff SimpleTech Inc (twdb, ) (Entered: 01/29/2004)
01/23/2004	<u>22</u>	RECEIPT OF REPORTERS TRANSCRIPT of proceedings for the following dates: 11/24/03 Court Reporter: W. Ledge (twdb, ) (Entered: 02/02/2004)
02/09/2004	<u>23</u>	ANSWER to first Amended Complaint[21] with Jury Demand filed by defendant Staktek Group L.P. (twdb, ) (Entered: 02/18/2004)
04/09/2004	<u>24</u>	STIPULATION AND ORDER to dismiss with prejudice by Judge Alicemarie H. Stotler: Each party shall bear its own costs and attorneys fees. (Made JS-6. Case Terminated.)(twdb, ) (Entered: 04/12/2004)
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Terms: patno=5514907 (Edit Search)

408552 (08) 5514907 May 7, 1996

## UNITED STATES PATENT AND TRADEMARK OFFICE GRANTED PATENT

#### 5514907

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## Link to Claims Section

May 7, 1996

Apparatus for stacking semiconductor chips

#### **REEXAM-LITIGATE:**

NOTICE OF LITIGATION

NOTICE OF LITIGATION Simple Technology, Inc. v. Dense-Pac Microsystems, Inc., Filed Sep. 23, 1998, D.C. C.D. California, Doc. No. SACV98- 822AHS(EEX)

**REISSUE:** This Patent was reissued on Oct. 17, 2000 as Reissue Patent Re 36,916.Reissue Application filed Feb. 28, 2000 (O.G. Apr. 18, 2000) Ex. Gp.: 2811; Re. S.N. 09/514,633Reissue Application filed Apr. 22, 1998 (O.G. Jun. 2, 1998) Ex. Gp.: 2811; Re. S.N. 09/064,348, (O.G. April 18, 2000)

INVENTOR: Moshayedi, Mark - Orange, California, United States (US)

**APPL-NO:** 408552 (08)

FILED-DATE: March 21, 1995

GRANTED-DATE: May 7, 1996

ASSIGNEE-AT-ISSUE: Simple Technology Incorporated, Santa Ana, California, United

States (US), 02

ASSIGNEE-AFTER-ISSUE: March 21, 1995 - ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS)., SIMPLE TECHNOLOGY INCORPORATED 3001 DAIMLER STREET SANTA ANA, CA 92705, Reel and Frame Number: 007422/0820

LEGAL-REP: Knobbe, Martens, Olson & Bear

**PUB-TYPE:** May 7, 1996 - Utility Patent having no previously published pre-grant publication (A)

PUB-COUNTRY: United States (US)

**US-MAIN-CL:** 257#723

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EC H01L-025/10 H01L-025/10J H05K-001/14E

H05K-007/02B

ORIGINAL (O): 257723000; CROSS-REFERENCE (X): 257E25022 PCL -257E25023 257685000 257686000 257698000 257724000 361735000 361760000

DT Basic

US3246386; US3290559; US3313986; US3377516; US3403300; US3515949; CT US3535595; US3614541; US3671812; US3949274; US4017963; US4288841; US4394712; US4398235; US4631573; US4638406; US4642735; US4698663; US4706166; US4821007; US4924352; US4953005; US4996583; US4996587; US5016138; US5025307; US5043794; US5058265; US5128831; US5140745; US5198888; US5241454; US5281852; US5343075; US5343366; FR2645681; JP58-219757; JP60-1606641; JP60-254762; JP61-63048; JP61-75558; JP2-260448; JP3-96266; JP4-209562 Dense-Pac Microsystems; 16 Megabit high Speed CMOS SRAM.

IBM Technical Disclosure Bulletin, vol. 23 No. 12 May 1981.

3-D Integrated packaging and Interconnect Technology; Wescon/90 Conference Record, held 13-15 Nov. 1990, Anaheim, Ca.

1992 Proceedings. 42nd Electronic Components & Technology Conference. May 18-20, 1992.

Dense-Pac Microsystems flyer/"While others are still defining it . . . Our customers are cashing in".

Article/Laminated Memory: A New 3 Dimensional Packaging Technology for MCMs. nCHIP, Inc., 1971 N. Capitol Avenue, San Jose, CA 95132 USA.

IBM Technical Disclosure Bulletin. vol. 20 No. 11A Apr. 1978.

IBM Technical Disclosure Bulletin. Vo. 32. No. 3B Aug. 1989.

STG - (A) United States patent

A multi-chip memory module comprises multiple standard, surface-mount-type memory chips stacked on top of each other, and a pair of printed circuit boards mounted on opposite sides of the memory chips to electrically interconnect the memory chips. Each printed circuit board has vias that are positioned to form multiple rows, with each row of vias used to connect the printed circuit board to a respective memory chip. The vias falling along the bottom-most row of each printed circuit board are also exposed and are used to surface mount the multi-chip module to pads of a memory board.

1 / 1 LGST - ©EPO

PN - US5514907 A 19960507 [US5514907]

**AP** - US40855295 19950321 [1995US-0408552]

ACT - 19950321 US/AS02-A

ASSIGNMENT OF ASSIGNOR'S INTEREST

OWNER: SIMPLE TECHNOLOGY INCORPORATED 3001 DAIMLER STREET;

EFFECTIVE DATE: 19950320

19950321 US/AS02-A

ASSIGNMENT OF ASSIGNOR'S INTEREST

OWNER: MOSHAYEDI, MARK; EFFECTIVE DATE: 19950320

19980602 US/RF-A

REISSUE APPLICATION FILED

EFFECTIVE DATE: 19980422

20000418 US/RF-A

REISSUE APPLICATION FILED

EFFECTIVE DATE: 20000228

**UP** - 2003-22

1 / 1 CRXX - @CLAIMS/RRX

**AN** - 2716180

PN - 5,514,907 A 19960507 [US5514907]

PA - Simple Tech Inc.
PT - E (Electrical)

ACT - 19980422 REISSUE REQUESTED

ISSUE DATE OF O.G.: 19980602

REISSUE REQUEST NUMBER: 09/064348

EXAMINATION GROUP RESPONSIBLE FOR REISSUEPROCESS: 2811

Reissue Patent Number: USRE36916

20000228 REISSUE REQUESTED ISSUE DATE OF O.G.: 20000318

REISSUE REQUEST NUMBER: 09/514633

EXAMINATION GROUP RESPONSIBLE FOR REISSUEPROCESS: 2811

Reissue Patent Number:

UP - 1999-00 UACT- 2000-04-18

PN - US5514907 19960507 (Utility)

TI - Apparatus for stacking semiconductor chips

**PCL** - 257723000

IN - Moshayedi Mark - Orange CA

PA - Simple Technology Incorporated - Santa Ana CA

IT - Active solid-state devices (e.g., transistors, solid-state diodes)

PF - Simple Technology Incorporated
DF - Dense-Pac Microsystems Incorporated

CT - CA, Central Dist.
DN - SACV98-822 AHS EEx

**FD** - 1998-09-23

ACT - A complaint was filed.

**UP** - 1998-41

## Search statement 4

#### Query/Command : fam us5514907/pn

## 1 Patent Groups \*\* SS 4: Results 2

## Search statement 5

## Query/Command : famstate nonstop

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1 / 2 PLUSPAT - @QUESTEL-ORBIT - image PN - US5514907 A 19960507 [US5514907]
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STG - (A) United States patent

 ${f TI}$  - (A) Apparatus for stacking semiconductor chips

PA - (A) SIMPLE TECH INC (US)

PAO - Simple Technology Incorporated, Santa Ana CA [US]

IN - (A) MOSHAYEDI MARK (US)

IC - (A) H01L-023/02 H01L-023/04 H01L-023/34 H05K-007/00

**AP** - US40855295 19950321 [1995US-0408552] **PR** - US40855295 19950321 [1995US-0408552]

EC - H01L-025/10 H01L-025/10J H05K-001/14E H05K-007/02B

PCL - ORIGINAL (O): 257723000; CROSS-REFERENCE (X): 257E25022 257E25023 257685000 257686000 257698000 257724000 361735000 361760000

DT - Basic

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**PN** - US5514907 A 19960507 [US5514907]

AP - US40855295 19950321 [1995US-0408552] ACTE- 19950321 US/AS02-A

ASSIGNMENT OF ASSIGNOR'S INTEREST

OWNER: SIMPLE TECHNOLOGY INCORPORATED 3001 DAIMLER STREET;

EFFECTIVE DATE: 19950320

19950321 US/AS02-A

ASSIGNMENT OF ASSIGNOR'S INTEREST

OWNER: MOSHAYEDI, MARK; EFFECTIVE DATE: 19950320

19980602 US/RF-A REISSUE APPLICATION FILED EFFECTIVE DATE: 19980422

20000418 US/RF-A REISSUE APPLICATION FILED EFFECTIVE DATE: 20000228

**UP** - 2003-22.

2 / 2 PLUSPAT - @QUESTEL-ORBIT - image PN - USRE36916 E 20001017 [USRE36916]

STG - (E) Reissue

TI - (E) Apparatus for stacking semiconductor chips

PA - (E) SIMPLE TECH INC (US)

PAO - Simple Technology Incorporated, Santa Ana CA [US]

IN - (E) MOSHAYEDI MARK (US)

IC - (E) H01L-023/02 H01L-023/04 H01L-023/34 H05K-007/00

AP - US6434898 19980422 [1998US-0064348] PR - US6434898 19980422 [1998US-0064348] US40855295 19950321 [1995US-0408552]

EC - H01L-025/10 H05K-001/14E H05K-007/02B

PCL - ORIGINAL (O): 257723000; CROSS-REFERENCE (X): 174052100 174052400 257E25022 257685000 257686000 257698000 257724000 361735000 361744000 361760000 361790000 439065000 439083000

**DT** - Basic **UP** - 2000-44

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PR Newswire November 28, 2000, Tuesday

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November 28, 2000, Tuesday

**SECTION: FINANCIAL NEWS** 

**DISTRIBUTION:** TO BUSINESS AND TECHNOLOGY EDITORS

LENGTH: 889 words

**HEADLINE:** Simple Technology Expands Infringement Claims Against Dense-Pac

Microsystems;

-Simple Technology Receives Reissue Patent For IC Tower Chip Stacking Technology -

DATELINE: SANTA ANA, Calif., Nov. 28

## **BODY:**

Simple Technology, Inc., (Nasdaq: STEC), a leading manufacturer of solid state Flash storage and custom memory solutions, announced today that it will ask the United States District Court for the Central District of California to amend its patent infringement lawsuit against Dense-Pac Microsystems, Inc., to incorporate its newly granted chip stacking reissue patent. Simple Technology originally filed the lawsuit against Dense-Pac in September 1998 based upon its IC Tower(TM) stacking patent, U.S. Patent No. **5,514,907**, which was granted in May 1996. Last month, Simple Technology was granted a reissue patent, Re. 36,916, which expanded the company's claims to this innovative technology.

"We are extremely pleased that the U.S. Patent and Trademark Office has reconfirmed the validity of our patent rights and has broadened our exclusive rights to this significant technology," said Mark Moshayedi, the company's chief operating officer and inventor of the reissue patent. "Importantly, the grant of our reissue patent took into consideration all prior art that had been submitted to the court by Dense-Pac. We feel this greatly strengthens our position in the on-going litigation."

The IC Tower stacking technology is widely used throughout Simple Technology's product lines, including in its high-density memory and Flash card products, which find application in a variety of markets ranging from consumer products such as digital cameras, PDAs, MP3 players, to industrial applications such as telecommunications, networking, and embedded computing products. The use of stacking technology permits the company to offer economical, reliable, high-density memory and storage solutions as an alternative to a monolithic chip solution. In addition, the stacking technology permits the company to reach memory and storage densities which are not otherwise achievable through current technology.

"Although Dense-Pac is the immediate focus of our legal action, we now intend to begin a systematic assessment of companies practicing this method of chip stacking technology," said Manouch Moshayedi, the company's chief executive officer. "We believe that a number of companies, in addition to Dense-Pac, may be infringing our technology. We are firmly committed to protecting our intellectual property and we will vigorously pursue our full legal remedies. We would, however, be willing to license our chip stacking technology on a non-exclusive basis."

Simple Technology is seeking damages, including pre-judgment interest, totaling more than \$ 23 Million, in addition to injunctive relief against further patent infringement by

Dense-Pac. Trial is presently set for March 2001.

About Simple Technology, Inc.

Simple Technology is a worldwide leader in the design, manufacture and marketing of Flash (solid-state and non-volatile memory), DRAM (Dynamic Random Access Memory), and SRAM (Static Random Access Memory) memory solutions. The company features a comprehensive line of more than 2500 memory and storage products, and products that connect memory cards and hard drive upgrade kits to PCs. Simple Technology -- with a 10-year history of performance -- completed its initial public offering in September 2000.

Simple Technology products are used in high performance computing, networking and communications, consumer electronics and industrial applications. The company's patented IC Tower stacking technology, allows multiple memory and logic chips to be stacked together to provide increased capacity or enhanced functionality for memory or storage modules, cards and drives, without increasing the end-product footprint.

#### Safe Harbor Statement

This release may contain forward-looking statements that involve risks and uncertainties. The outcome of the litigation between Simple Technology and Dense-Pac Microsystems, Inc., is uncertain and results could vary from those predicted. If our IC Tower stacking reissue patent is found to be invalid, Simple Technology's ability to exclude competitors from making, using or selling the same or similar products to our IC Tower stacking products would cease. In addition, if Simple Technology is found to infringe valid patents of others, Simple Technology may be excluded from using the infringed technology without a license, which may not be available on commercially reasonable terms, if at all. Important factors which could cause actual results to differ materially from those in the forward-looking statement are detailed under "Risk Factors" in filings with the Securities and Exchange Commission made from time to time by Simple Technology, including its Registration Statement on Form S-1 declared effective on September 28, 2000. Simple Technology undertakes no obligation to release publicly any revisions to any forward-looking statements to reflect events or circumstances after the date hereof or to reflect the occurrence of unanticipated events.

For information about Simple Technology, Inc., please visit the company's web site <a href="https://www.simpletech.com">www.simpletech.com</a>

SOURCE Simple Technology, Inc.

CONTACT: Mitch Gellman, Director of Investor Relations of Simple Technology, Inc., 949-260-8328, <a href="mailto:mgellman@simpletech.com">mgellman@simpletech.com</a>

URL: http://www.prnewswire.com

LOAD-DATE: November 29, 2000

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Intellectual Property Today November, 1998

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Intellectual Property Today

November, 1998

SECTION: RFC EXPRESS TM; Recently Filed Patent Cases; Pg. 26

LENGTH: 938 words

**BODY:** 

... Filed: 980828 SHIMANO INC.

vs.

CAMPAGNOLO S.R.L. & CAMPAGNOLO USA INC. 4,690,663-474/080

98-822 -- Filed: 980923 SIMPLE TECHNOLOGY INC. vs.

DENSE-PAC MICROSYSTEMS INC.

**5,514,907**-257/723

98-542 -- Filed: 980916

**SOLLAC** 

vs.

AK STEEL CORP.

5,023,113-427/320; 5,116,645-427/320

98-1973 -- Filed: 980911 SPECIALTY PRODUCTS CO.

vs. ...

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Terms: 5514907 or 5,514,907 (Edit Search)

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Date/Time: Wednesday, January 5, 2005 - 10:10 AM EST

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PR Newswire, September 24, 1998

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September 24, 1998, Thursday

**SECTION:** Financial News

**DISTRIBUTION:** TO BUSINESS AND TECHNOLOGY EDITORS

**LENGTH:** 545 words

**HEADLINE:** Simple Technology Files Patent Infringement Claim Against Dense-Pac

MicrosystemsLEXIS-NEXIS Related Topicsno targeted Topics.

DATELINE: SANTA ANA, Calif., Sept. 24

#### **BODY:**

Simple Technology, Inc. (STI) today announced that is has filed a patent infringement lawsuit against Dense-Pac Microsystems, Inc. (DPMI) Garden Grove, CA, for infringement of STI's patented chip stacking technology, U.S. Patent no. **5,514,907**, entitled "Apparatus for Stacking Semiconductor Chips." STI was granted the '907 patent in May 1996.

The claim, filed September 23, 1998, in the United States District Court for the Central District of California, Santa Ana Division, seeks damages as well as a permanent injunction against further DPMI sales. Specifically named as infringing are DPMI's M-Densus DRAM products numbers DPSC16MX8RY5, DPSD16MX8RY5, DPSD32MX4RKY5, and DPSD32MR72RW5-PC100. Customers who use these products purchased from DPMI may also be infringing the '907 patent. In addition, other DPMI parts may be added to the lawsuit.

"Simple Technology is an innovator in three-dimensional memory products and we will not allow our proprietary technology to be used without our permission," said Mark Moshayedi, COO of Simple Technology. "Dense-Pac has chosen to illegally incorporate our design into their products, so we must now turn to the legal system to vigorously protect our intellectual property rights."

STI's three-dimensional memory design allows industry standard packaged memory devices to be stacked together in the same footprint to act as a single device. Unlike multichip modules and die stacking, which require time consuming and expensive manufacturing techniques, STI's design uses standard manufacturing processes which allow each memory chip to be individually tested. The design enables a system to reach greater capacities with its existing number of memory slots, and it provides next-generation memory capacity while eliminating common obstacles often associated with new technologies like high cost, limited availability and long lead times.

About Simple Technology, Inc.

Founded in 1990, Simple Technology, Inc. is a worldwide technology leader in the memory, storage and communications marketplace, offering first-to-market products manufactured to ISO standards. The key to Simple Technology's success is its long-standing partnerships with industry-leading semiconductor manufacturers and OEM companies. The company offers a complete line of linear and ATA flash, SRAM, DRAM and communications products in a wide

variety of form factors to meet the needs of its global customer base. Simple Technology markets its products through a worldwide network of distributors, retail chains and mail order including Ingram Micro, Pinacor, Fry's Electronics, Ritz Camera, and CDW. The company has headquarters in Santa Ana, California, with sales and manufacturing facilities worldwide. More information on Simple Technology is available at <a href="https://www.simpletech.com">www.simpletech.com</a>.

Simple Technology is a trademark of Simple Technology, Inc. All other trademarks and registered trademarks are the property of the companies with which they are associated. SOURCE Simple Technology, Inc.

CONTACT: Marci Vahey, Public Relations and Events Manager of Simple Technology, Inc., 949-476-1180, ext. 8309, fax: 949-851-2758, <a href="mailto:mvahey@simpletech.com">mvahey@simpletech.com</a>

LOAD-DATE: September 25, 1998

Source: News & Business > News > News, All (English, Full Text)

Terms: 5514907 or 5,514,907 (<u>Edit Search</u>)

View: Full

Date/Time: Wednesday, January 5, 2005 - 10:10 AM EST

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Source: <u>Legal</u> > <u>Area of Law - By Topic</u> > <u>Patent Law</u> > <u>Patents</u> > <u>U.S. Patents</u> > **Reissue Patents** 

Terms: 36916 (Edit Search)

064348 (09) RE 36916 October 17, 2000

## UNITED STATES PATENT AND TRADEMARK OFFICE GRANTED PATENT

#### RE 36916

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## Link to Claims Section

October 17, 2000

Apparatus for stacking semiconductor chips

### **REEXAM-LITIGATE:**

NOTICE OF LITIGATION

NOTICE OF LITIGATION Simple Technology, Inc. v. Dense-Pac Microsystems, Inc., Filed Feb. 21, 2001, D.C. C.D. California, Doc. No. SACV01-231 AHS (ANx)

NOTICE OF LITIGATION

Simpletech, Inc., a California corporation v. Statek, Corp., a Texas corporation, Filed July 29, 2003, D.C. C.D. California, Doc. No. SACV 03-1188 AHS (ANx)

**INVENTOR:** Moshayedi, Mark - Orange, California, United States (US)

**APPL-NO:** 064348 (09)

FILED-DATE: April 22, 1998

**GRANTED-DATE:** October 17, 2000

ASSIGNEE-AT-ISSUE: Simple Technology Incorporated, Santa Ana, California, United

States (US), 02

LEGAL-REP: Knobbe, Martens, Olson & Bear, LLP

PUB-TYPE: October 17, 2000 - Reissue Patent (E1)

**PUB-COUNTRY:** United States (US)

**US-MAIN-CL:** 257#723

**US-ADDL-CL:** 174#521, 174#524, 257#685, 257#686, 257#698, 257#724, 257#E25.022,

361#735, 361#744, 361#760, 361#790, 439#65, 439#83

**CL:** 257, 174, 257, 361, 439

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       (E) Apparatus for stacking semiconductor chips
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       US4017963; US4116518; US4116519; US4288808; US4288841; US4364620;
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       US4631573; US4638348; US4638406; US4642735; US4688864; US4696525;
       US4698663; US4706166; US4761681; US4770640; US4821007; US4841355;
       US4868712; US4884237; US4924352; US4953005; US4956694; US4996583;
       US4996587; US5016138; US5025307; US5031072; US5041395; US5043794;
       US5058265; US5086018; US5107328; US5128831; US5140745; US5155068;
       US5198888; US5222014; US5231304; US5239447; US5241454; US5281852;
       US5311401; US5313096; US5343075; US5343366; US5369058; US5373189;
       US5384689; US5397916; US5420751; US5426566; US5446313; US5479318;
       US5481133; US5493476; US5499160; US5514907; US5552963; US5561591;
       US5566051; US5586009; US5605592; US5612570; US5615475; US5723903;
       FR2645681; JP58-219757; JP60-160641; JP60-194548; JP60-254762;
       JP61-63048; JP61-75558; JP61-137335; JP2-260448; JP3-96266;
        JP4-209562; JP7-122842
        Patent Abstract of Japan, Publication No. 05029534, Published May
        2, 1993, Inventor: Nakamura Shigemi, entitled "Memory Module",
       European Patent Office.
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"Alternative assembly for memory ICs," XP-002093051, Electronic Engineering, Jan. 1987, p. 22.

International Electronic Device Meeting, IEDM Technical Digest,

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STG - (E) Reissue

AB - A multi-chip memory module comprises multiple standard, surface-mount-type memory chips stacked on top of each other, and a pair of printed circuit boards mounted on opposite sides of the memory chips to electrically interconnect the memory chips. Each printed circuit board has vias that are positioned to form multiple rows, with each row of vias used to connect the printed circuit board to a respective memory chip. The vias falling along the bottom-most row of each printed circuit board are also exposed and are used to surface mount the multi-chip module to pads of a memory board.

UP - 2000-44

1 / 2 LITA - ©Thomson Derwent

**AN** - P2003-34-49 **FS** - PATENT (P)

PN - USRE36916 20001017 (Reissue)

TI - Apparatus for stacking semiconductor chips

**PCL** - 257723000

IN - Moshayedi Mark - Orange CA

PA - Simple Technology Incorporated - Santa Ana CA

IT - Active solid-state devices (e.g., transistors, solid-state diodes)

PF - Simpletech Incorporated

DF - Staktek Corporation
CT - CA, Central Dist.
DN - SACV03-1188 AHS (ANx)

**FD** - 2003-07-29

ACT - A complaint was filed.

**UP** - 2003-34

2 / 2 LITA - ©Thomson Derwent

**AN** - P2001-13-62

FS - PATENT (P)

**PN -** USRE36916 20001017 (Reissue)

TI - Apparatus for stacking semiconductor chips

**PCL** - 257723000

IN - Moshayedi Mark - Orange CA

PA - Simple Technology Incorporated - Santa Ana CA

IT - Active solid-state devices (e.g., transistors, solid-state diodes)

PF - Simple Technology Incorporated
DF - Dense-Pac Microsystems Incorporated

CT - CA, Central Dist.
DN - SACV01-231 AHS(ANx)

**FD** - 2001-02-21

ACT - A complaint was filed.

**UP** - 2001-13

Search statement 6

Query/Command : fam re36916/pn

1 Patent Groups
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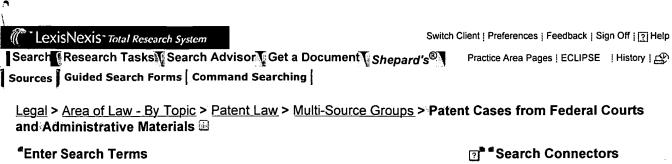
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PN - US5514907 A 19960507 [US5514907]
       (A) United States patent
       (A) Apparatus for stacking semiconductor chips
       (A) SIMPLE TECH INC (US)
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        Simple Technology Incorporated, Santa Ana CA [US]
IN -
       (A) MOSHAYEDI MARK (US)
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        ASSIGNMENT OF ASSIGNOR'S INTEREST
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        EFFECTIVE DATE: 19950320
        19950321 US/AS02-A
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        19980602 US/RF-A
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        EFFECTIVE DATE: 19980422
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        REISSUE APPLICATION FILED
       EFFECTIVE DATE: 20000228
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        (E) SIMPLE TECH INC (US)
PA0 -
        Simple Technology Incorporated, Santa Ana CA [US]
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        (E) MOSHAYEDI MARK (US)
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DT - Basic UP - 2000-44



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36,916)) (Edit Search)

2001 U.S. Dist. LEXIS 25160, \*

SIMPLE TECHNOLOGY, Plaintiff, v. DENSE-PAC MICROSYSTEMS, Defendants.

SA CV 98-822 AHS (EEx)

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

2001 U.S. Dist. LEXIS 25160

March 28, 2001, Decided March 29, 2001, Filed; March 29, 2001, Enter on ICMS

**SUBSEQUENT HISTORY:** Affirmed by <u>Simple Tech., Inc.v. Dense-Pac Microsystems, 31 Fed.</u> Appx. 636, 2002 U.S. App. LEXIS 4441 (2002)

**DISPOSITION:** [\*1] Defendant's motion for partial summary judgment granted.

#### **CASE SUMMARY**

**PROCEDURAL POSTURE:** Defendant company filed a motion for partial summary judgment of non-infringement of claim 12 of plaintiff patentee's **Reissue** Patent No. **36**/916.

**OVERVIEW:** The court previously ruled that the patent was not infringed by the company because the rail products did not employ "planar side boards." The company moved for partial summary judgment of non-infringement. The court held that the phrase "planar side boards" should have been characterized as a single limitation that had been the subject of amendment. The patentee's reference to the phrase "planar side boards" as a single cohesive limitation was based on an erroneous construction of claim 12 and did not raise any factual issues regarding the structure of its product. The court found that the patentee's amendment of its patent application to narrow "first side board" and "second side board" to "first planar side board" and "second planar side board" in response to prior art identified by the examiner narrowed the literal scope of the claim and thus gave rise to prosecution history estoppel with respected to the amended claim elements. Thus the patentee was completely barred from seeking infringement on the basis of the doctrine of equivalents on account of the patentee's amendment narrowing the limitation "planar side board."

**OUTCOME:** The court granted the motion for partial summary judgment and entered final judgment for the company.

**CORE TERMS:** patent, planar, summary judgment, infringement, multiplier, literal, beam, ion, non-infringement, estoppel, amended claim, switching, estopped, narrowed, analog, gun, entry of judgment, partial, adjudicated

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## Patent Law > Infringement > Prosecution History Estoppel

Any amendment that narrows the scope of a claim for any reason related to the statutory requirements for a patent will give rise to prosecution history estoppel with respect to the amended claim element. More Like This Headnote

**COUNSEL:** For SIMPLE TECHNOLOGY INC, plaintiff: Joseph R Re, Joseph F Jennings, Knobbe Martens Olson & Bear, Irvine, CA.

For DENSE-PAC MICROSYSTEMS INC, defendant: Richard J Grabowski, Gregory E Woodard, Jones Day, Irvine, CA. Kenneth R Adamo, Jones Day, North Point, Cleveland, OH. JoAnne S Redmann, Reed Smith Crosby & Heafey, Los Angeles, CA. Kit M Stetina, Stetina Brunda Garred & Brucker, Aliso Viejo, CA.

For DENSE-PAC MICROSYSTEMS INC, counter-claimant: Richard J Grabowski, Gregory E Woodard, Jones Day, Irvine, CA. JoAnne S Redmann, Reed Smith Crosby & Heafey, Los Angeles, CA.

For SIMPLE TECHNOLOGY INC, counter-defendant: Joseph R Re, Joseph F Jennings, Knobbe Martens Olson & Bear, Irvine, CA.

For SIMPLE TECHNOLOGY INC, counter-claimant: Joseph R Re, Joseph F Jennings, Knobbe Martens Olson & Bear, Irvine, CA.

For DENSE-PAC MICROSYSTEMS INC, counter-defendant: JoAnne S Redmann, Reed Smith Crosby & Heafey, Los Angeles, CA.

JUDGES: ALICEMARIE H. STOTLER, UNITED STATES DISTRICT JUDGE.

**OPINIONBY:** ALICEMARIE H. STOTLER

**OPINION:** MEMORANDUM ORDER GRANTING DEFENDANT'S MOTION FOR PARTIAL SUMMARY JUDGMENT AND ORDER FOR [\*2] ENTRY OF JUDGMENT

I.

#### PROCEDURAL BACKGROUND

On February 7, 2001, the Court ruled that plaintiff's **Reissue** Patent No. **36,916** ('916) was not infringed by defendant because the M-Densus rail products do not employ "planar side boards." The Court denied defendant's motion of non-infringement "except to the extent it is granted as to literal infringement." See Feb. 7, 2001 Minute Order. On February 23, 2001, defendant moved for partial summary judgment of non-infringement of claim 12 of the '916 patent in light of the Federal Circuit's decision in <u>Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co., 234 F.3d 558 (Fed. Cir. 2000)</u>. Plaintiff filed opposition on March 9, 2001. Defendant filed a reply on March 16, 2001.

The parties' oral arguments were heard on March 23, 2001, and the motion was taken under submission. The Court, having considered the papers submitted by the parties, the cases cited therein, and the oral arguments of counsel, grants defendant's motion. Because only Claim 12 is in issue in the complaint, and because all other issues have been adjudicated, the Court orders entry of judgment in favor of defendant.

II.

## **DISCUSSION** [\*3]

The Court holds that the phrase "planar side boards" should be characterized as a single limitation that has been the subject of amendment. See <u>Aclara v. Caliper Technologies Corp.</u>, 125 F. Supp. 2d 391, 402 (N.D. Cal. 2000) ("A limitation . . . is a series of limiting words or phrases that specifically identify the invention in the claims.") (internal quotations omitted); see also <u>Festo</u>, 234 F.3d at 563 ("It is preferable to use the term 'limitation' when referring to claim language and the term 'element' when referring to the accused device.").

During the course of this litigation, plaintiff has consistently referred to the phrase "planar side boards" as a single cohesive limitation. See e.g., Malcolm Decl., Ex. O, Pla's Mot. for Partial Summary Judgment of Literal Infringement of Claim 12 of '907 patent at 6:19-24 ("To this point, Dense-Pac has only disputed the interpretation of two claim limitations: (1) "planar side boards" and (2) . . . ."); 13:10-15 (". . . Dense-Pac has argued that its products do not satisfy two limitations of Claim 12. However, Dense-Pac's arguments are based on an erroneous construction of Claim 12 and do not raise [\*4] any factual issues regarding the structure of its product. A. The Accused Products Contain Planar Side Boards.").

Festo holds that HN1 amy amendment "that narrows the scope of a claim for any reason related to the statutory requirements for a patent will give rise to prosecution history estoppel with respect to the amended claim element." See Festo, 234 F.3d at 564-65. Plaintiff amended its patent application to narrow "first side board" and "second side board" to "first planar side board" and "second planar side board" in response to prior art identified by the examiner. Malcolm Decl., Ex. E-7,8. The Court finds the amendment to have "narrowed the literal scope of the claim" as contemplated by Festo in a prosecution history estoppel analysis. Id. at 585.

The court in Aclara characterized the consequence of creating prosecution history estoppel as "severe" under Festo, Aclara, 125 F. Supp. 2d at 391. Whether or not this is so, the Court finds that, in this case, imposition of a complete bar to application of the doctrine of equivalents follows the directive of Festo. More recent Federal Circuit decisions point to [\*5] the same conclusion. See e.g., Pioneer Magnetics v. Micro Linear Corp., 238 F.3d 1341 (Fed. Cir. 2001) (finding "plaintiff [to be] estopped from arguing equivalents to 'switching analog multiplier circuit' limitation of the claims in the '366 patent" where plaintiff had amended claim from "multiplier" to "switching analog multiplier" to avoid prior art which disclosed a power supply containing a non-switching multiplier); Litton Systems, Inc. v. Honeywell Inc., 238 F.3d 1376, 1380 (finding plaintiff to be "estopped from claiming any equivalents to the 'Kaufman-type ion beam gun' limitation in the disputed claims of the '849 reissue" where plaintiff had "narrowed its claims by amending the term 'ion beam source' to read 'Kaufman-type ion beam source' and the accused devices did not literally possess a Kaufman-type ion beam gun).

## III.

## CONCLUSION

Accordingly, and for the foregoing reasons, the Court grants defendant's motion for partial summary judgment on the ground that, under <u>Festo</u>, plaintiff is completely barred from seeking infringement on the basis of the doctrine of equivalents on account of plaintiff's amendment narrowing [\*6] the limitation "planar side board." As noted, the Court has previously adjudicated literal infringement adverse to plaintiff.

The Court has this date modified, signed, and filed defendant's proposed Statement of Uncontroverted Facts and Conclusions of Law. The Clerk shall enter judgment for defendant.

IT IS ORDERED.

IT IS FURTHER ORDERED that the Clerk shall serve a copy of this Order on counsel for all parties in this action.

DATED: March 28, 2001.

ALICEMARIE H. STOTLER

UNITED STATES DISTRICT JUDGE

**JUDGMENT** 

The Court, having denied Defendant's Motion for Summary Judgment of Non-Infringement of United States Patent No. Re. 36,916 ("'916 patent"), having granted, in part, that motion as to literal infringement, having denied Defendant's Motion for Summary Judgment as to Invalidity of Plaintiff's '916 patent, having denied Plaintiff's Motion for Summary Judgment as to Infringement of Claim 12 of the '916 patent, having granted Plaintiff's Motion for Summary Judgment as to Non-infringement of Defendant's '694 patent, and having granted Defendant's Motion for Partial Summary Judgment of Non-Infringement of Claim 12 of the '916 patent, these matters having come before the Court, [\*7] the Honorable Alicemarie H. Stotler, District Judge, presiding, and the evidence presented having been fully considered, the issues having been duly considered, and decisions thereon having been duly rendered,

## IT IS ORDERED AND ADJUDGED:

that plaintiff take nothing on its complaint, that defendant take nothing on its counter-claim, and that defendant shall, as the prevailing party, recover its costs of suit.

DATED: March 28, 2001.

ALICEMARIE H. STOTLER

UNITED STATES DISTRICT JUDGE

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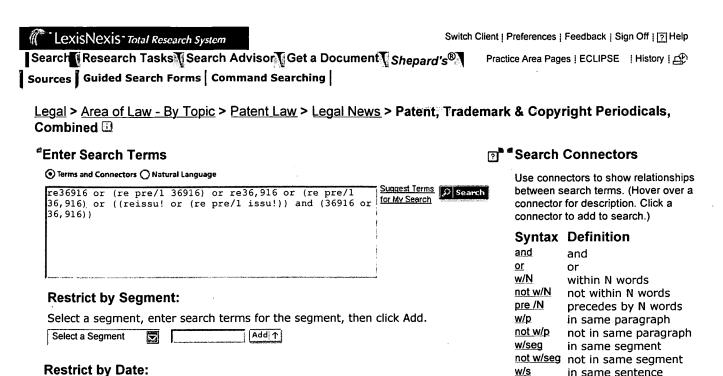
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PR Newswire October 10, 2003 Friday

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October 10, 2003 Friday

**SECTION: FINANCIAL NEWS** 

**DISTRIBUTION:** TO BUSINESS AND TECHNOLOGY EDITORS

LENGTH: 519 words

**HEADLINE:** SimpleTech Considers Staktek Lawsuit a Response To SimpleTech's Earlier

Lawsuit;

Company Believes Claims Are Without Merit

**DATELINE:** SANTA ANA, Calif. Oct. 13

**BODY:** 

On July 30, 2003, SimpleTech, Inc. (Nasdaq: STEC), a designer, manufacturer and marketer of custom and open-standard memory solutions based on Flash memory and DRAM technologies, filed a patent infringement lawsuit in California alleging that Staktek's recently introduced "Value Stack" memory stack module infringes SimpleTech's IC Tower stacking patent, U.S. Patent No Rec. 36,916. In an apparent response to SimpleTech's earlier patent infringement lawsuit, Staktek, on October 10, 2003, announced that it has filed a patent infringement lawsuit in Texas that alleges that SimpleTech's IC Tower stacking product infringes two of Staktek's patents. SimpleTech will review and study the complaint when it is received, however, based on Staktek's representation regarding the subject of the lawsuit, SimpleTech believes that Staktek's claims are without merit. SimpleTech intends to vigorously defend its IC Tower stacking technology.

# About SimpleTech

SimpleTech, Inc. designs, manufactures and markets custom and open- standard memory solutions based on Flash memory and DRAM technologies. Headquartered in Santa Ana, California, the company offers a comprehensive line of over 2,500 products and specializes in developing high-density memory modules, memory cards and storage drives. For more information, please contact the company's Investors Relations department at (949) 260-8328 (ir@simpletech.com) or visit <a href="https://www.simpletech.com">www.simpletech.com</a>.

### Safe Harbor

This release may contain forward-looking statements that involve risks and uncertainties, including, but not limited to, statements concerning the belief that Staktek's claims are without merit and SimpleTech's intent to vigorously defend its IC Tower stacking technology. Because litigation is inherently uncertain, SimpleTech cannot predict the outcome of its litigation with Staktek. Important factors which could cause actual results to differ materially

from those in the forward-looking statement are detailed under "Risk Factors" in filings with the Securities and Exchange Commission (the "SEC") made from time to time by SimpleTech, including its Registration Statement on Form S-1 filed with the SEC on October 1, 2003, its Annual Reports on Form 10-K, its quarterly reports on Form 10-Q, and its current reports on Form 8-K. Actual results may differ materially from those predicted. Other factors that could cause actual results to differ materially from those expressed or implied in the forward-looking statements include the following risks: if SimpleTech is unable to adequately protect its intellectual property, its competitors might gain access to its technology, which could harm its ability to successfully compete in its market and patent infringement litigation with Staktek and other companies in the future could divert management's time and attention and could be time consuming and expensive. SimpleTech undertakes no obligation to release publicly any revisions to any forward-looking statements to reflect events or circumstances occurring after the date hereof or to reflect the occurrence of unanticipated events.

SOURCE SimpleTech, Inc.

CONTACT: Media, Elaine Marshall, Director of Public Relations, +1-949-260-8219, <a href="mailto:emarshall@simpletech.com">emarshall@simpletech.com</a>, or Investors, Mitch Gellman, Director of Investor Relations, +1-949-260-8328, ir@simpletech.com, both of SimpleTech, Inc.

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Intellectual Property Today October, 2003

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October, 2003

SECTION: TECHNO BYTES TM; Decisions & Settlements; Pg. 22

**LENGTH:** 235 words

**HEADLINE:** DPAC Technologies Wins Patent Lawsuit with SimpleTech

**BODY:** 

DPAC Technologies Corp. (Nasdaq: DPAC), a technology company that designs and manufactures high-density memory and wireless products, announced that the United States District Court for the Central District of California granted judgment in favor of DPAC on SimpleTech, Inc.'s claim of infringement of United States Patent No. **Re. 36,916.** 

SimpleTech's 1998 patent infringement claim was previously adjudicated as without merit by the District Court in March, 2001, a finding that was affirmed in the following year by the United States Court of Appeals. A subsequent United States Supreme Court decision in another case prompted the Supreme Court to return this case to the Court of Appeals to determine whether SimpleTech was now entitled to a trial on its claim. The Court of Appeals asked the District Court to apply the new Supreme Court standard, and the District Court again found that SimpleTech was still not entitled to go to trial and a finding of non-infringement was re-entered.

SimpleTech filed another patent infringement action against DPAC in 2001 alleging that other claims of its '916 patent were infringed. DPAC filed a counterclaim alleging trade secret misappropriation and unfair competition. The parties voluntarily dismissed the claim and counterclaim in 2002 without prejudice to re-filing at a later date. Neither party has refiled an action alleging those claims.

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Business Wire September 18, 2003, Thursday

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September 18, 2003, Thursday

**DISTRIBUTION:** Business Editors/High-Tech Writers

LENGTH: 610 words

**HEADLINE:** DPAC Technologies Wins Patent Lawsuit with SimpleTech

DATELINE: GARDEN GROVE, Calif., Sept. 18, 2003

#### BODY:

DPAC Technologies Corp. (Nasdaq:DPAC), a technology company that designs and manufactures high-density memory and wireless products, today announced that the United States District Court for the Central District of California granted judgment in favor of DPAC on SimpleTech, Inc.'s claim of infringement of United States Patent No. Re. 36,916.

SimpleTech's 1998 patent infringement claim was previously adjudicated as without merit by the District Court in March, 2001, a finding that was affirmed in the following year by the United States Court of Appeals. A subsequent United States Supreme Court decision in another case prompted the Supreme Court to return this case to the Court of Appeals to determine whether SimpleTech was now entitled to a trial on its claim. The Court of Appeals asked the District Court to apply the new Supreme Court standard, and the District Court again found that SimpleTech was still not entitled to go to trial and a finding of non-infringement was re-entered.

SimpleTech filed another patent infringement action against DPAC in 2001 alleging that other claims of its '916 patent were infringed. DPAC filed a counterclaim alleging trade secret misappropriation and unfair competition. The parties voluntarily dismissed the claim and counterclaim in 2002 without prejudice to re-filing at a later date. Neither party has refiled an action alleging those claims.

## About DPAC Technologies

Based in Garden Grove, California, DPAC Technologies provides patented component packaging technology to create high-density, space-saving memory and wireless products. DPAC's products are used in electronic circuits found in network servers, computer storage devices, guidance systems, medical instrumentation, and communication devices. The Company provides outsourced engineering design services to aid customers in creating cost-saving circuit designs as well as contract manufacturing of prototype designs and medium volume production runs of assembled circuit boards. The Company's web site address is www.DPACTech.com.

## Forward-Looking Statements

This press release includes forward-looking statements, including statements regarding management's current beliefs concerning the Company's business plans, the success of the litigation, the need for patented technology, risks of introducing new technologies, risks associated with continued litigation, and the success of the programs using this technology, which are subject to change. Every statement herein that is not historic in nature is a forward-looking statement for purposes of the Safe Harbor provisions of the Private Securities Litigation Reform Act of 1995. Such statements involve risks and uncertainties, which may differ materially from those set forth in these statements. Factors that affect DPAC's business include, but are not limited to; the success of patented products, future business opportunities with products, the military and industrial market, protection of technology or proprietary rights, risks of litigation, and general market and economic conditions. More information about the risks and challenges faced by DPAC Technologies Corp. is contained in the Securities and Exchange Commission filings made by the Company. DPAC Technologies Corp. specifically disclaims any obligation to update or revise any forward-looking statements whether as a result of new information, future developments or otherwise.

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www.dpactech.com

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PR Newswire July 31, 2003 Thursday

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July 31, 2003 Thursday

**SECTION: FINANCIAL NEWS** 

**DISTRIBUTION:** TO BUSINESS AND TECHNOLOGY EDITORS

LENGTH: 375 words

**HEADLINE:** SimpleTech Files Patent Infringement Lawsuit Against Staktek Corporation; Suit Protects SimpleTech's IC Tower(TM) Stacking Technology Intellectual Property

DATELINE: SANTA ANA, Calif. July 31

BODY:

SimpleTech, Inc. (Nasdaq: STEC), a leading provider of Flash-based storage, as well as custom and standard memory solutions, today announced that it has filed a patent infringement lawsuit against Staktek Corporation in U.S. District Court for the Central District of California. The lawsuit alleges that Staktek's recently introduced "Value Stack" memory stack module infringes SimpleTech's U.S. Patent No. **Re. 36,916**, issued in October 2000. The asserted patent relates to SimpleTech's IC Tower(TM) stacking product.

"SimpleTech is committed to bringing innovative products to the market through its ongoing focus on research and development. SimpleTech is equally committed to protecting our intellectual property associated with those innovations," said Manouch Moshayedi, SimpleTech's CEO.

SimpleTech's IC Tower stacking technology allows multiple memory and logic chips to be stacked together to provide increased memory and storage densities that provide enhanced capacity and functionality without increasing the size of the footprint of the memory modules.

SimpleTech, Inc. is a technology solutions provider offering products based on DRAM, SRAM and flash memory technologies. Headquartered in Santa Ana, California, the company is a leader in the design, development, manufacturing and marketing of custom and standard memory solutions. For more information, please visit our web site at <a href="https://www.simpletech.com">www.simpletech.com</a>.

This release may contain forward-looking statements that involve risks and uncertainties. The outcome of the litigation between SimpleTech, Inc. and Staktek Corporation is uncertain and results could vary from those predicted. Important factors which could cause actual results to differ materially from those in the forward-looking statement are detailed under "Risk Factors," in filings with the Securities and Exchange Commission made from time to time by SimpleTech, including its Annual Reports on Form 10-K, its quarterly reports on Form 10-Q, and its current reports on Form 8-K. SimpleTech undertakes no obligation to release publicly any revisions to any forward-looking statements to reflect events or circumstances occurring

after the date hereof or to reflect the occurrence of unanticipated events.

SOURCE SimpleTech, Inc.

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PR Newswire November 28, 2000, Tuesday

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November 28, 2000, Tuesday

**SECTION: FINANCIAL NEWS** 

**DISTRIBUTION:** TO BUSINESS AND TECHNOLOGY EDITORS

LENGTH: 889 words

**HEADLINE:** Simple Technology Expands Infringement Claims Against Dense-Pac

Microsystems;

-Simple Technology Receives Reissue Patent For IC Tower Chip Stacking Technology -

DATELINE: SANTA ANA, Calif., Nov. 28

#### **BODY:**

Simple Technology, Inc., (Nasdaq: STEC), a leading manufacturer of solid state Flash storage and custom memory solutions, announced today that it will ask the United States District Court for the Central District of California to amend its patent infringement lawsuit against Dense-Pac Microsystems, Inc., to incorporate its newly granted chip stacking **reissue** patent. Simple Technology originally filed the lawsuit against Dense-Pac in September 1998 based upon its IC Tower(TM) stacking patent, U.S. Patent No. 5,514,907, which was granted in May 1996. Last month, Simple Technology was granted a **reissue** patent, **Re. 36,916**, which expanded the company's claims to this innovative technology.

"We are extremely pleased that the U.S. Patent and Trademark Office has reconfirmed the validity of our patent rights and has broadened our exclusive rights to this significant technology," said Mark Moshayedi, the company's chief operating officer and inventor of the **reissue** patent. "Importantly, the grant of our **reissue** patent took into consideration all prior art that had been submitted to the court by Dense-Pac. We feel this greatly strengthens our position in the on-going litigation."

The IC Tower stacking technology is widely used throughout Simple Technology's product lines, including in its high-density memory and Flash card products, which find application in a variety of markets ranging from consumer products such as digital cameras, PDAs, MP3 players, to industrial applications such as telecommunications, networking, and embedded computing products. The use of stacking technology permits the company to offer economical, reliable, high-density memory and storage solutions as an alternative to a monolithic chip solution. In addition, the stacking technology permits the company to reach memory and storage densities which are not otherwise achievable through current technology.

"Although Dense-Pac is the immediate focus of our legal action, we now intend to begin a systematic assessment of companies practicing this method of chip stacking technology," said Manouch Moshayedi, the company's chief executive officer. "We believe that a number of companies, in addition to Dense-Pac, may be infringing our technology. We are firmly committed to protecting our intellectual property and we will vigorously pursue our full legal remedies. We would, however, be willing to license our chip stacking technology on a non-exclusive basis."

Simple Technology is seeking damages, including pre-judgment interest, totaling more

than \$ 23 Million, in addition to injunctive relief against further patent infringement by Dense-Pac. Trial is presently set for March 2001.

About Simple Technology, Inc.

Simple Technology is a worldwide leader in the design, manufacture and marketing of Flash (solid-state and non-volatile memory), DRAM (Dynamic Random Access Memory), and SRAM (Static Random Access Memory) memory solutions. The company features a comprehensive line of more than 2500 memory and storage products, and products that connect memory cards and hard drive upgrade kits to PCs. Simple Technology -- with a 10-year history of performance -- completed its initial public offering in September 2000.

Simple Technology products are used in high performance computing, networking and communications, consumer electronics and industrial applications. The company's patented IC Tower stacking technology, allows multiple memory and logic chips to be stacked together to provide increased capacity or enhanced functionality for memory or storage modules, cards and drives, without increasing the end-product footprint.

### Safe Harbor Statement

This release may contain forward-looking statements that involve risks and uncertainties. The outcome of the litigation between Simple Technology and Dense-Pac Microsystems, Inc., is uncertain and results could vary from those predicted. If our IC Tower stacking **reissue** patent is found to be invalid, Simple Technology's ability to exclude competitors from making, using or selling the same or similar products to our IC Tower stacking products would cease. In addition, if Simple Technology is found to infringe valid patents of others, Simple Technology may be excluded from using the infringed technology without a license, which may not be available on commercially reasonable terms, if at all. Important factors which could cause actual results to differ materially from those in the forward-looking statement are detailed under "Risk Factors" in filings with the Securities and Exchange Commission made from time to time by Simple Technology, including its Registration Statement on Form S-1 declared effective on September 28, 2000. Simple Technology undertakes no obligation to release publicly any revisions to any forward-looking statements to reflect events or circumstances after the date hereof or to reflect the occurrence of unanticipated events.

For information about Simple Technology, Inc., please visit the company's web site <a href="https://www.simpletech.com">www.simpletech.com</a>

SOURCE Simple Technology, Inc.

CONTACT: Mitch Gellman, Director of Investor Relations of Simple Technology, Inc., 949-260-8328, <a href="mailto:mgellman@simpletech.com">mgellman@simpletech.com</a>

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## Other Events

### **ITEM 5. Other Events**

On March 8, 2004, SimpleTech, Inc. (the "Company") and DPAC Technologies Corp. (formerly Dense-Pac Microsystems, Inc.) entered into a confidential settlement agreement whereby the Company agreed to dismiss with prejudice its appeal of the intellectual property infringement lawsuit pending in the United States Federal Circuit entitled SimpleTech, Inc. v. DPAC Technologies Corp., Case No. 04-1034. Under the confidential settlement agreement the Company granted DPAC a paid-up, non-exclusive license under the affected patents. This settlement is a complete and amicable resolution and should not be construed as an admission by any of the parties to this litigation of any wrongdoing.

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